



## TOWN OF LEDYARD

### Department of Land Use and Planning

*Elizabeth J. Burdick, Director*

741 Colonel Ledyard Highway, Ledyard, CT 06339

Telephone: (860) 464-3215, Fax: (860) 464-0098

Email: [planner@ledyardct.org](mailto:planner@ledyardct.org)

### MEMORANDUM

**DATE:** January 9, 2025  
**TO:** Ledyard Planning & Zoning Commission  
**FROM:** Liz Burdick, Director of Land Use & Planning  
**RE:** **App. #22-8SUB – 24-Lot Open Space Subdivision, 79 Vinegar Hill Road – Owner/Applicant, Mr.G.1., LLC – Current Owner, Mt. Kineo Builders for Request for Referral to Town Council to accept completed Marty’s Way as a Town Road**

---

Pursuant to Town Ordinance #300-25, Part II, Section 3 & 4 (An Ordinance Regulating the Addition of Any New Street or Highway to the Highway System of the Town of Ledyard) and C.G.S. § 8-24, the matter of acceptance of Marty’s Way, including its infrastructure, as a Town Road has been forwarded to the Commission by the Public Works Director to make a recommendation to the Town Council.

Section 3.C states "If the Road meets approval and has met requirements set forth in this Ordinance, the Public Works Director shall forward a written recommendation of approval to the Planning and Zoning Commission." Said written recommendation was forwarded to the Town Planner, Liz Burdick for the Commission in a memorandum dated December 19, 2024 following final inspection and receipt of, As-Built Drawings. Road and Open Space Warranty (Quit Claim actual) Deeds to the Town of Ledyard. P.E. & Utilities Certifications pending.

Section 4.B states "If the Planning and Zoning Commission concurs with the recommendation of the Public Works Director, the Commission shall forward its own recommendation of approval, together with any warranty deeds and the written recommendation of the Public Works Director, to the Town Council. No deed shall be conveyed to the Town Clerk until Town Council has taken action to accept the street as a public street."

**The following Motion is suggested for any favorable recommendation:**

I make a Motion to forward a favorable referral in accordance with Town Ordinance #300-25, Part II, Section 3 & 4 and C.G.S. §8-24 to the Town Council to ACCEPT Marty's Way, including its infrastructure, that was approved as part of Application PZ #22-8SUB, Eagle's Landing 24-Lot Open Space Subdivision, 79 Vinegar Hill Road, Ledyard, CT on August 11, 2022, along with the written recommendation of the Director of Public Works dated December 19, 2024 and all supporting documentation as required by Town Ordinance #300-025, Part II, Sections 3 & 4, including warranty deeds with the following conditions:

1. The warranty deeds shall be reviewed and approved by the Director of Public Works and/or Town Attorney prior to acceptance; and
2. The Applicant shall submit P.E. and Utilities Certification per Section 3.A(1), (2) & (3) prior to acceptance.

C: Steve Masalin, Public Works Director  
Fred B. Allyn, Mayor  
Naomi Rodriguez, Town Council Chairman  
Rob Holfelder, Mt. Kineo Builders  
Peter Gardner, Dieter & Gardner



**TOWN OF LEDYARD CONNECTICUT**  
**Planning & Zoning Commission**

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1551

PHONE (860) 464-3266 FAX (860) 464-1126  
[www.ledyardct.org](http://www.ledyardct.org)

Tony Capon, Chairman

*VIA CERTIFIED MAIL: 7017 1450 0002 0797 1537*

August 15, 2022

Mr. G 1 LLC  
55 Trumbull Road  
Waterford, CT 06385

RE: **Application PZ#22 8SUB** of Mr. G. 1 LLC, 55 Trumbull Road, Waterford CT, for a 24 Lot Open Space Subdivision located at 79 Vinegar Hill Road.

Dear Applicant:

At its Regular & Public Hearing Meeting on August 11, 2022, the Ledyard Planning & Zoning Commission **APPROVED** your above-referenced application with the following **CONDITIONS**:

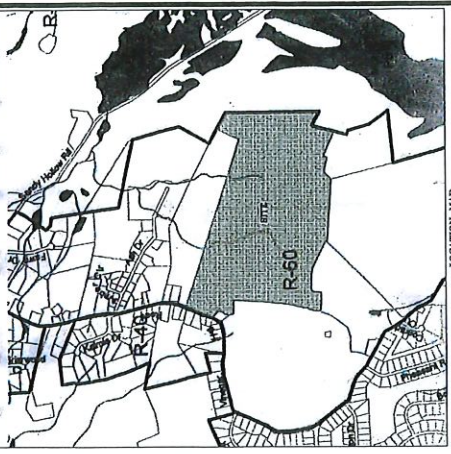
1. Revise the Site Plan to show all driveways serving individual homes as 12 feet wide as required. All shared portions must be 15 ft wide and contained within a 25ft access strip/easement area and comply with all other requirements found in Section 14.8B.
2. Shared Driveways greater than 600ft must have a turn-out.
3. Please correct the Zoning Compliance Table to reflect the current regulations. The table provided is based on the 2012 Regulations.
4. Please reference the most recent IWWC application and approval in the notes.
5. All comments provided by Town Engineer must be addressed prior to the filing of the mylar.
6. All legal documents must be filed for any easements and/or rights of way prior to the sale of any of the lots affected.
7. Bond estimates for the drainage/stormwater management systems must be reviewed and approved prior to the issuance of any zoning permits for individual lot development.

Please contact me with any questions. Thank you.

For the Commission,

Michelle Gagnon-Smith  
Land Use Office, Town of Ledyard

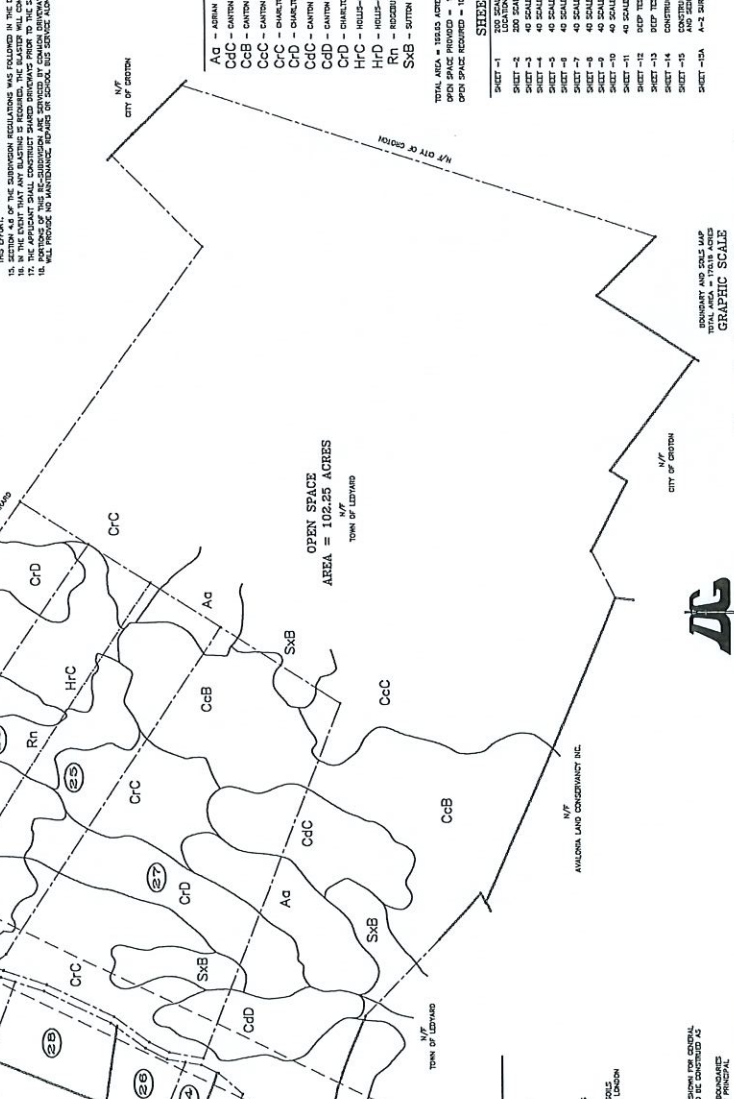
cc: File



- GENERAL NOTES CONTINUED
1. BACK REQUIREMENTS FOR EXISTING OPEN SPACE SUBDIVISION
2. MINIMUM LOT AREA, 12000 SQ. FT.
3. MINIMUM LOT FRONT SETBACK, 35 FEET
4. MINIMUM SIDE YARD SETBACK, 25 FEET
5. MINIMUM FRONT YARD SETBACK, 25 FEET
6. MINIMUM SETBACK FROM THE FRONT LOT LINE, MINIMUM IS CENTER LINE

ESSENTIAL NOTES
1. A MAP OF LANDS IN LEDWARD, CONN. PROPOSED FOR ACQUISITION BY THE STATE OF CONNECTICUT, SHOWS THE LOCATION OF THE LANDS TO BE ACQUIRED FOR THE CONSTRUCTION OF A PARK AND RECREATION CENTER IN LEDWARD, CONNECTICUT. THE LANDS TO BE ACQUIRED ARE DESCRIBED AS FOLLOWS: 50.00 ACRES OF LANDS IN LEDWARD, CONN. BEING MORE OR LESS THE LANDS DESCRIBED IN PARAGRAPH 2 HEREOF.

Table with columns for PROPERTY LOCATION, APPLICANT, APPROVAL, SETBACK REQUIREMENT, and other details. Includes a sub-table for SOILS LEGEND with codes like AC, CcC, etc.



LEGEND
BOUNDARY LINE
PROPERTY LINE
STREET LINE
UTILITY FILE
STREET ADDRESS
SOIL TYPE PER SOIL SURVEY OF NEW LEDWARD, CONN.

NOTES: BOUNDARY LINES OF ADJACENT PROPERTIES ARE SHOWN FOR GENERAL INFORMATION ONLY AND ARE NOT TO BE CONSIDERED AS PART OF THIS PLAN. THE STAKE WALLS AND/OR FENCES SHOWN AS BOUNDARIES ARE NOT TO BE CONSIDERED AS PART OF THIS PLAN. THE STAKE WALLS AND/OR FENCES SHOWN AS BOUNDARIES ARE NOT TO BE CONSIDERED AS PART OF THIS PLAN.

PREPARED BY THE ENGINEER AND ARCHITECT UNDER CONTRACT TO THE TOWN OF LEDWARD, CONNECTICUT. DATE: JUNE 2002. SHEET 1 OF 15. TITLE: LAND SURVEY OF N. 1488. DATE: JUNE 3, 2002.

# Memorandum:

RECEIVED

DEC 19 2024

Land Use Department

**To:** Liz Burdick, Town Planner

**From:** Steve Masalin, Public Works Director *sm*

**Date:** December 19, 2024

**Re:** 79 Vinegar Hill Road Subdivision (Appl. PZ#22-8SUB) – Marty's Way

---

I have inspected the physical infrastructure associated with the subject subdivision and road. I find that the requirements of the Town's road and drainage ordinances have been met and consider the road complete for purposes of present acceptance.

This constitutes my written recommendation for road acceptance per Part II, Section 3 of the Road Ordinance, pending receipt of any remaining required completion certification documentation from the applicant.

- C. The Planning and Zoning Commission may grant preliminary approval of the proposed street, taking into account comments of the Director of Public Works, the Director of Planning, and other agencies that have reviewed the plans. The Commission shall establish a performance security in an amount adequate to cover all costs and all aspects of construction, as required by this Ordinance.
- D. Performance security shall consist of a certificate of deposit or a savings pass book, made out jointly in the names of the applicant and the Town of Ledyard. A withdrawal slip payable to the Town of Ledyard shall be provided with any savings pass book. A joint account in both names shall be required. Other forms of collateral, including letters of credit, are unacceptable and shall not be received by the Town as performance security.
- E. The Applicant shall deposit the required performance security established by the Commission with the Town Treasurer prior to final filing of subdivision plans with the Town Clerk. No construction shall begin until the applicant has provided the Town Treasurer with the required performance security. Furthermore, no construction shall begin until plans submitted by the applicant have received written certification from the Planning and Zoning Commission Chairman, and have been filed with the Town Clerk in accordance with Town of Ledyard's Subdivision Regulations.

Section 3. Final Approval of Public Works Director

- A. Whenever any street or road section is completed, the applicant shall furnish the Public Works Director with a certificate from a licensed Connecticut engineer certifying that:
  - (1) The work has been completed according to the plan submitted and in accordance with all specifications herein stated; and
  - (2) The drainage system has been completed in accordance with the Town Drainage Ordinance.
  - (3) If public utilities have been installed, a letter from the respective utility company indicating that the utilities have been completed and accepted shall be submitted.
- B. A mylar "as-built" plan and profile of the road and storm drains shall be submitted, together with two (2) blue and white prints. The plans shall be at a scale of 1"=40'; with the profiles at 1"=4'. The plan view shall show all waterlines, valve boxes, water services and curb boxes, electrical system facilities, telephone system facilities, boundary monuments, front lot pins and other public improvements. The "as-builts" are to be certified as accurate by a Registered Engineer and/or Land Surveyor.
- C. If the road meets approval and has met requirements set forth in this Ordinance, the Public Works Director shall forward a written recommendation of approval to the Planning and Zoning Commission.

Section 4. Final Approval by the Planning and Zoning Commission

- A. Upon recommendation of approval of the street by the Public Works Director, the applicant shall give the Planning and Zoning Commission a warranty deed conveying the street, related drainage easements, any applicable rights-of-ways, open space or other easements, to the Town of Ledyard. Deeds transferring property to the Town shall specify actual road dimensions and boundaries in feet to the nearest hundredth, and compass direction to the nearest second.

Sec. 8-24. Municipal improvements. No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report. Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads.