



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Inland Wetland and Water Courses Commission

Meeting Minutes - Final

Chairman
Justin DeBrodt

Tuesday, June 4, 2024

7:00 PM

Council Chambers -Hybrid Format

REMOTE MEETING INFORMATION

Join Zoom Meeting

<https://us06web.zoom.us/j/81682521335?pwd=feF1Bs3iOILTow32VBkGRt4k6Woo0U.1>

Meeting ID: 816 8252 1335

Passcode: 419703

I. CALL TO ORDER

Chairman Justin DeBrodt called the meeting to order at 7:02 p.m.

II. ROLL CALL

Present Chairman Justin DeBrodt
Vice Chair Paul Maugle
Commissioner Dan Pealer
Commissioner Beth E. Ribe

Excused Commissioner Lynmarie Thompson

In addition, the following were present:
Alex Samalot, Zoning & Wetlands Official
Elizabeth Burdick, Director of Land Use & Planning
Yaasmiyn Gonzalez, Land Use Assistant

III. CITIZENS COMMENTS

Ms. Ann Roberts-Pierson, 4 Anderson Drive, Gales Ferry, CT addressed the Commission and inquired if the GFI, LLC application would be subject to IWWC review. Chairman Debrodt noted there is no current application to review. Ms. Roberts-Pierson urged the IWCC to review any new application and hold a public hearing.

IV. OLD BUSINESS

None

V. NEW BUSINESS

- A. Discussion and possible action on legal jurisdiction for PZC Application #24-1SITE - 59 Kings Highway, Applicant/Agent, Peter C. Gardner, Attorney, Mark Branse, Esq., Halloran & Sage - Owner Donco, LLC for a 10-unit Mobile Home Park/Affordable Housing Development in accordance with CGS §8-30g.

Town Attorney Rob Avena addressed the issue of whether or not the IWWC has jurisdiction over PZC applications. He stated that he felt the PZC Chair or the Town Planner could ask the IWCC to review and he discussed that Ledyard had not updated its IWWC regulations to specifically state the Commission could regulate activities beyond the 100-foot upland review area as other Towns in the region had.

The Commission had a brief discussion of the proposed mobile manufactured home park application and Director Burdick read a report from C.S.S. Ian Cole, dated April 121, 2024 that had been entered into the PZC file record for #PZ-1SITE that described existing site conditions, including wetlands areas, the proposed site improvements and that stated there would be no direct or adverse impacts on the existing wetlands/drainage basin.

Upon **MOTION** by Beth Ribe, **SECONDED** by Dan Pealer, it was voted that the Commission does not request that PZC Application #24-1SITE, 59 Kings Highway, Applicant/Agent, Peter C. Gardner, Attorney, Mark Branse, Esq., Halloran & Sage - Owner Donco, LLC for 10-Unit Mobile Home Park/Affordable Housing Development in accordance with CGS §8-30g submit an IWWC permit for the project.

RESULT: APPROVED AND SO DECLARED

MOVER: Beth E. Ribe

SECONDER: Dan Pealer

AYE 3 DeBrodt Pealer Ribe

NAY 1 Maugle

EXCUSED 1 Thompson

- B. Discussion and possible action on legal jurisdiction for PCZ Application #24-2RESUB - 96, 98, and 100 Stoddards Wharf Rd., Agent: Harry Heller, Esq., Heller, Heller & McCoy - Applicant/Owner: Avery Brook Homes, LLC, for an 18-Lot Resubdivision/Affordable Housing Development pursuant to CGS §8-30g.

As in agenda item V.a, Town Attorney Rob Avena addressed the issue of whether or not the IWWC has jurisdiction over PZC applications. He summarized legal opinions submitted by Attorney Harry Heller on behalf of Avery Brook Homes, LLC and Attorney Steven Studer on behalf of Intervenor Groton Utilities. There was discussion between Commissioners and Attorney Avena regarding various reasons it had jurisdiction over this particular application. Details of the discussion may be seen on video on the Town website.

Director Burdick stated that staff had not yet completed their respective reviews and were waiting for further info. She read correspondence between Lisette Stone, CT DPH and Attorney

Heller stating the Applicant has hired an expert to prepare a wastewater renovation analysis which is forthcoming.

The Commission felt they did not have sufficient information to make a decision and tabled the discussion to its next meeting.

RESULT: TABLED

VI. REPORTS

A. Staff Reports - Designated Agent/WEO

WEO Alex Samalot presented his May staff report.

VII. APPROVAL OF MINUTES

B. MOTION to approve the Inland Wetland and Water Courses Commission regular meeting minutes of April 2, 2024

RESULT: APPROVED AND SO DECLARED

MOVER: Dan Pealer

SECONDER: Paul Maugle

AYE 4 DeBrodt Maugle Pealer Ribe

EXCUSED 1 Thompson

VIII. MEETING REVIEW

Chairman Debrodt reviewed the meeting.

IX. ADJOURNMENT

Mr. Debrodt moved the meeting be adjourned, seconded by Ms. Ribe

The meeting adjourned at 8:40 p.m.

VOTE: 4 - 0 Approved and so declared

Respectively Submitted,

Chairman Debrodt
Inland Wetland and Water Courses Commission