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To: [Elizabeth Burdick](#)
Cc: [Peter Gardner](#)
Subject: Avery Brook Homes, LLC
Date: Tuesday, April 30, 2024 11:18:05 AM

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Good Morning Liz:

Please see the attached letter, dated April 24, 2024 from Juliet Hodge to our client, Avery Brook Homes, LLC that was received yesterday. Juliet states that notification to abutting property owners of the upcoming public hearing scheduled for May 9, 2024 is required within 10 days of the public hearing. However, after a review of Section 3.6 of the Ledyard Subdivision Regulations, I believe her letter to our client is in error. Section 3.6 of the Subdivision Regulations states as follows:

“All abutting property owners surrounding proposed subdivisions containing twenty-five (25) or more lots shall be notified by the applicant of any public hearing conducted by the Commission on the proposed subdivision. If the Commission determines that subdivisions containing a lesser number of lots could have a significant impact on the surrounding area, it may require that the applicant notify all abutting property owners of the public hearing for the proposed subdivision.”

The application pending before the Ledyard Planning and Zoning Commission is for an 18-lot re-subdivision; and, therefore, notice is not automatically required. The Ledyard Planning and Zoning Commission accepted the re-subdivision application of Avery Brook Homes, LLC at its regularly scheduled meeting of April 11, 2024 and scheduled the public hearing for May 9, 2024. There was no discussion at the time of acceptance about any impact, significant or otherwise, on the surrounding area and no motion was raised that notification of abutting property owners would be required.

For the reasons stated above, notification of the scheduled public hearing to abutting property owners is not required on this application pursuant to the provisions of the Ledyard Subdivision Regulations and our client will not be providing notice to abutting property owners of the upcoming public hearing. It is our position that the instruction dated April 24, 2024 from the prior planner is in error.

Harry

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