



TOWN OF LEDYARD

Planning & Zoning Commission

Meeting Minutes - Final

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Chairman Marty
Wood

Special Meeting

Thursday, December 12, 2024

6:00 PM

Ledyard Middle School - 1860 CT-12,
Gales Ferry, CT 06335 (aka 1854
CT-12)

REMOTE MEETING INFORMATION

Join Zoom Meeting

<https://us06web.zoom.us/j/86264308167?pwd=CiTQgrZlHMTn1Kg9x7EEgzBEuz71QW.1>

Meeting ID: 862 6430 8167 Passcode: 727251

Dial by your location: +1 646 558 8656 US (New York)

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL AND APPOINTMENT OF ALTERNATES

Present Chairman Marcelle Wood
 Alternate Member Matthew Miello
 Commissioner Beth E. Ribe
 Alternate Member James Harwood
Excused Vice Chair Paul Whitescarver
 Secretary Howard Craig

In addition, the following were present:

Director of Land Use & Planning, Elizabeth Burdick
Land Use Attorney, Matthew Willis
Zoning Enforcement Official, Hannah Gienau
Land Use Assistant, Anna Wynn

Chairman Wood noted for the record that Alternate James Harwood will be seated for Vice Chair Paul Whitescarver, who is recused from application PZ#24-8SUP & PZ#24-9CAM. He stated that and Alternate member Matt Miello will be seated for Secretary Howard Craig.

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

None.

V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY)

None.

VI. PRE APPLICATION DISCUSSION AND/OR WORKSHOP

None.

VII. OLD BUSINESS

- A. **PZ#24-10SITE & PZ#24-11CAM - 109 Military Highway (Parcel ID: 106-1590-109), Gales Ferry, CT** - Applicant: Frank C. Borawski, P.E. - Owners: James & Sandra Onorato for Site Plan & Coastal Site Plan Approval for Bank Stabilization Project on Mill Cove. *(Submitted 8/19/24, Date of Receipt 09/12/24, DRD 11/15/24).*

Director Burdick stated for the record that she received a request to table the application from the applicant with a twenty-eight (28) day extension of time.

MOTION to table application PZ#24-10SITE & PZ#24-11CAM to the Planning & Zoning Special Meeting of January 9, 2025 at 6:00pm in the Ledyard Middle School Auditorium and on Zoom.

RESULT: TABLED

MOVER: Marcelle Wood

SECONDER: Beth E. Ribe

AYE: 4 Wood, Miello, Ribe, and Harwood

EXCUSED: 2 Whitescarver, and Craig

- B. **PZ#24-12SITE - 5A Lorenz Industrial Parkway, (Parcel ID: 138-1380-5A), Ledyard, CT, 06339** - Agent, Peter Gardner - Applicant/Owner, A&R Associates Inc. for site plan approval for new 2370sf building and associated site improvements *(Submitted 10/29/24, Date of Receipt 11/14/24, DRD 01/17/24)*

Director Burdick stated for the record that she received a request from the applicant on December 9, 2024 to table the application to the Planning & Zoning Special Meeting of January 9, 2025

MOTION to table application PZ#24-12SITE to the Planning & Zoning Special Meeting of January 9, 2025 at 6:00pm in the Ledyard Middle School Auditorium and on Zoom.

RESULT: TABLED

MOVER: Marcelle Wood

SECONDER: Beth E. Ribe

AYE: 4 Wood, Miello, Ribe, and Harwood

EXCUSED: 2 Whitescarver, and Craig

VIII. NEW BUSINESS

None.

IX. PUBLIC HEARINGS/APPLICATIONS

- A. Public Hearing: PZ#24-8SUP & PZ#24-9CAM** - 1737 and 1761 Connecticut Route 12 (Parcel IDs: 76-2120-1737 & 61-2120-1761), Gales Ferry, CT - Agent, Harry Heller, Esq., Heller, Heller & McCoy - Applicant/Owner, Gales Ferry Intermodal, LLC for Special Use Permit/Site Plan Approval and Coastal Site Plan Review to modify an existing mixed-use (commercial/industrial) development for the addition of an Excavation Operation, Major. *(Submitted 07/9/24, Date of Receipt 7/11/24, PH must open by 9/13/24, PH set for 9-12-24, PH must close by 10-16-24, PH Cont. to 9/26/24, PH Cont. to 10/10/24, PH Cont. to 10/24/24, PH Cont. to 11/14/24, PH Cont. to 11/21/24, PH Cont. 12/5/24, 65 Day Ext. Granted, PH must close by 12/20/24, DRD 65-days from close PH).*

Chairman Wood reopened the public hearing at 6:13pm. Staff and the Commission discussed the proceedings of public comments for the evening.

Chairman Wood called for Brian Sauvageau. Brian Sauvageau, 187 Iron Street, Ledyard, made the final remarks of his presentation.

Attorney Heller of Heller, Heller & McCoy, 736 Norwich-New London Turnpike, Uncasville, CT, cross examined Mr. Sauvageau and clarified previous statements made at the last meeting.

Director Burdick asked Mr. Sauvageau to restate for the record the names of state officials he had spoken with. Mr. Sauvageau stated that he spoke to Dr. Phillip Armstrong of The Connecticut Agricultural Experiment Station, Department of Entomology in New Haven, CT. He stated he spoke with the coordinator for the CT DEEP Wetland Habitat and Mosquito Management (WHAMM), Mr. Roger Wolfe.

Attorney Heller and Mr. Sauvageau discussed which documents Mr. Sauvageau reviewed related to the application. They discussed subjects related to arsenic and bedrock. Director Burdick asked Mr. Sauvageau if he would be submitting any of his referenced documents for the record. Mr. Sauvageau submitted documents for the record and Director Burdick stated that they would be marked as exhibits #228, #228-1, #228-2, #228-3, #228-4, #228-5, #228-6.

Chairman Wood called for Michele Kushman. Director Burdick stated that Ms. Kushman had called out last week from illness and she hadn't heard from her since.

Chairman Wood called for Peter Gardner. Peter Gardner of Dieter & Gardner, 1641 Route 12, Gales Ferry, made his public comment statement to the Commission. He stated his

concerns with the proceeds of the Gales Ferry district intervening on application PZ#24-8SUP & PZ#24-9CAM.

Chairman Wood called for Susan Axline. Susan Axline, 1742 Route 12, Apt #6B, Gales Ferry, made her public comment statement in opposition of the application. She submitted her written statement for the record, Director Burdick stated that her letter would be marked as exhibit #229.

Chairman Wood called for Craig Mateyov. Mr. Mateyov did not come forward or identify himself in the audience.

Chairman Wood called for Samuel Roudebush. Mr. Roudebush, 63 Hurlbutt Road, Gales Ferry, made his public comment statement in opposition of the application speaking specifically about fly rock. Chairman Wood gave a time warning stating that Mr. Roudebush had already been at the podium for 23 minutes. Director Burdick stated that Mr. Roudebush's letter and attachment had been marked as exhibits#230-1 and #230-2 for the record.

Chairman Wood called for Margaret Laforest. Ms. Laforest of Laforest Strategic Advisors, 236 Rock Island Rd, Quincy MA, representing the applicant Jay Cashman, made her presentation to the Commission regarding community concerns. The audience interrupted her presentation with various comments. Chairman Wood called for order from the audience. The audience continued to outburst.

Attorney Willis stated that Ms. Laforest has the right to complete her presentation and that every member of the public has the right to speak. The audience continued to outburst. Chairman Wood reiterated the rules of conduct for the public hearing and called for order. Ms. Laforest completed her presentation. Director Burdick stated for the record that Ms. Laforest's presentation would be marked as exhibit #231.

Commissioner Ribe asked if MSHA compliance is typically required for a site characterized as an excavation major. Attorney Heller replied anytime material is excavated and processed it comes under MSHA regulation. Chairman Wood and Attorney Heller discussed L10 and L90 levels related to the application.

Chairman Wood called for Wayne Magro. Mr. Magro did not come forward or identify himself in the audience.

Chairman Wood called for Sean Nugent. Sean Nugent, Chairman of the Board for SECTER, 19-B Thames St, Groton, CT, gave his public comment statement in favor of the application speaking specifically about economic development.

Chairman Wood called for Maria Hanna. Maria Hanna, 144 Tower Ave, Groton, CT, joining the meeting by Zoom, gave her public comment statement in favor of the application.

Director Burdick stated for the record that Commissioner Miello, who was attending via Zoom, was leaving the meeting and is excused. She stated that the Commission still has a

quorum.

Chairman Wood called for Rich Hine. Rich Hine did not come forward or identify himself in the audience. Chairman Wood called for Kevin Brown. Kevin Brown did not come forward or identify himself in the audience. Chairman Wood called for Jeff Smith. Jeff Smith did not come forward or identify himself in the audience.

Chairman Wood called for Corey Willingham. Corey Willingham, 1761 Route 12, Gales Ferry, current employee of Jay Cashman Enterprises, gave his public comment statement in support of the application.

Chairman Wood called for Bruce Edwards. Bruce Edwards, 30 Bluff Road West, Gales Ferry, gave his presentation to the Commission in opposition of the application. Director Burdick stated for the record that his document would be marked as exhibit #232.

Chairman Wood called for Jolie Isenburg. Jolie Isenburg, 29 Chapman Lane, Gales Ferry, gave her public comment statement in opposition of the application. She handed additional documents to the Commission. Director Burdick stated for the record that Ms. Isenburg's documents will be marked as exhibits #233-1 and #233-2.

10 MINUTE RECESS

Chairman Wood called for Gabe Stern. Gabe Stern, 1065 Long Cove Road, Gales Ferry, made his public comment statement in opposition of the application.

Chairman Wood called for Glenn Tainter. Glenn Tainter, 42 Robinhood Drive, Gales Ferry, gave his public comment statement in opposition of the application. Mr. Tainter and staff discussed if would have to resubmit his letter for the record as he had submitted it for previous applications. Staff said yes. Director Burdick stated for the record that Mr. Tainter's letter will be marked as exhibit #234.

Chairman Wood called for Douglas Schwartz. Douglas Schwartz, 189 Thames Street, Groton, gave his public comment statement in opposition of the application. Chairman Wood asked how much longer his presentation would take as Mr. Schwartz has already gone over 15 minutes. The audience began to outburst. Mr. Schwartz passed out rock samples to the Commission.

Director Burdick stated that Mr. Schwartz's presentation and rock samples would be marked as exhibits #235-1 and #235-2 for the record.

Chairman Wood called for Caitlin Houser. Caitlin Houser, 10 Tom Allyn Court, Gales Ferry, gave her public comment statement in opposition of the application that was previously marked as exhibit #212.

Chairman Wood called for Ed Murray. Ed Murray, 26 Devonshire Drive, Gales Ferry, gave his public comment statement in opposition of the application.

Chairman Wood called for Liz Smith. Elizabeth Smith, 40 Chapman Lane, Gales Ferry, gave her public comment statement in opposition of the application. Director Burdick stated for the record that Ms. Smith's documents would be marked as exhibits #236-1 and #236-2.

Chairman Wood called for David Kirpas. David Kirpas did not come forward or identify himself in the audience.

Chairman Called for Jennifer Zeronson. Jennifer Zeronson, 18 Bluff Road West, Gales ferry, gave her public comment presentation in opposition of the application specifically talking about economic impact. Director Burdick stated that the presentation would be marked as exhibit #237 for the record.

Chairman Wood called for Jim Kelley. Jim Kelley, 17 Winthrop Road, Gales Ferry, read into the record a letter from the American Lung Association as requested by Laura Palmese previously marked as exhibit #205-2. He made additional comments in opposition of the application.

Chairman Wood called for Jay Cashman of Jay Cashman Enterprises. The audience interjected and made various outbursts. Staff and the Commission discussed if there would be time for more speakers after Mr. Cashman. Several members of the public chimed in that they would like to made comments to the commission before the end of the evening. Jay Cashman made his public comment statement to the Commission offering his perspective of the application and property.

Deborah Edwards, 30 Bluff Road West, Gales Ferry, made her public comment statement in opposition of the application. Director Burdick stated that Ms. Edwards's letter would be marked as exhibit #238 for the record.

Director Burdick stated that all members of the public have until December 19th to submit written statements for the record.

MOTION to continue the public hearing on application PZ#24-8SUP & PZ#24-9CAM to the Planning & Zoning Special Meeting of December 19, 2024 at 6:00 p.m. in the Ledyard Middle School auditorium and on Zoom.

RESULT: CONTINUE

MOVER: Marcelle Wood

SECONDER: Beth E. Ribe

AYE: 3 Wood, Ribe, and Harwood

EXCUSED: 2 Craig, and Miello

RECUSED: 1 Whitescarver

- B. Discussion & Decision: PZ#24-8SUP & PZ#24-9CAM - 1737 and 1761 Connecticut Route 12 (Parcel IDs: 76-2120-1737 & 61-2120-1761), Gales Ferry, CT - Agent, Harry Heller, Esq., Heller, Heller & McCoy - Applicant/Owner, Gales Ferry Intermodal, LLC for**

Special Use Permit/Site Plan Approval and Coastal Site Plan Review to modify an existing mixed-use (commercial/industrial) development for the addition of an Excavation Operation, Major. (Submitted 07/9/24, Date of Receipt 7/11/24, PH must open by 9/13/24, PH set for 9-12-24, PH must close by 10-16-24, PH Cont. to 9/26/24, PH Cont. to 10/10/24, PH Cont. to 10/24/24, PH Cont. to 11/14/24, PH Cont. to 11/21/24, PH Cont. 12/5/24, 65 Day Ext. Granted, PH must close by 12/20/24, DRD 65-days from close PH).

RESULT: CONTINUE

AYE: 3 Wood, Ribe, and Harwood

EXCUSED: 2 Craig, and Miello

RECUSED: 1 Whitescarver

X. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

A. MOTION to approve PZC Special Meeting Minutes of November 21, 2024

Chairman Wood tabled this business until the Planning & Zoning Special Meeting of January 9, 2024 at the Ledyard Middle School and on Zoom.

RESULT: TABLED

B.

Chairman Wood tabled this business until the Planning & Zoning Special Meeting of January 9, 2024 at the Ledyard Middle School and on Zoom.

RESULT: TABLED

XI. CORRESPONDENCE

None.

XII. REPORTS

None.

XIII. ADJOURNMENT

Commissioner Harwood moved the meeting be adjourned, seconded Commissioner Ribe

The meeting adjourned at 10:50 p.m.

VOTE: 3-0 Approved and so declared

Respectively Submitted,

Chairman Wood
Planning & Zoning Commission

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