



TOWN OF LEDYARD

Planning & Zoning Commission

Meeting Minutes - Final

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Chairman Marty
Wood

Regular Meeting

Thursday, August 14, 2025

6:00 PM

Council Chambers - Hybrid Format

I. CALL TO ORDER

Chairman Wood called the meeting to order at 6:05 p.m. at the Council Chambers, Town Hall Annex Building and on Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL AND APPOINTMENT OF ALTERNATES

Present Chairperson Marcelle Wood
Town Council Liaison Howard Craig
Alternate Member Matthew Miello
Alternate Member James Harwood
Alternate Member Rhonda Spaziani
Alternate Member Nathaniel Woody

Excused Commissioner Beth E. Ribe

In addition, the following were present:

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

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

- A. **939 Long Cove Road (Parcel ID: 107/1340/939), Gales Ferry, CT** - Preliminary Review of 2-Lot Resubdivision per Ledyard Subdivision Regulations Section 3.1.2 - Agent, Peter Gardner, L.S., Dieter & Gardner - Applicant, Rob Hohlfelder, Mt. Kineo Builders - Property

Owners, John H. Almy III & Marcy Z. Almy.

Director Burdick stated that this preapplication workshop is required by the Ledyard Subdivision Regulations.

Peter Gardner of Dieter & Gardner, 1641 Route 12. Gales Ferry, representing Mt. Kineo Builders described the location of the proposed subdivision and several details of the property and history. He described several details of the site plan that was handed out to the Commission.

Alternate Member Nate Woody asked for clarification on how the frontage of the property would be broken up. They discussed the frontage of the properties.

Director Burdick commented that staff and the applicant are working out requirements for open space in the subdivision. She stated that the applicant intends to set aside 40% of the lot for open space. Mr. Gardner and the Commission discussed future development of the property and topographic issues related to the lot. Mr. Gardner commented on public water access related to the site. Ms. Burdick stated that there is an agreement between water utility providers to switch service areas to service the proposed development. Staff and Mr. Gardner discussed that the first 3 lots would not be serviced by public water and would need septic and well installation. Alternate Member Woody and Mr. Gardner discussed any wetlands on the property, and the topography of the land makes future access to the site difficult.

VII. PUBLIC HEARINGS/APPLICATIONS

None.

VIII. OLD BUSINESS

- A. PZ#25-4SITE - 8, 9 & 11 Colby Drive, Ledyard, CT, (Parcel IDS: 68-520-8, 68-520-9, 68-520-11) - Applicant/Agent, Norm Eccleston - Owner, Habitat for Humanity of Eastern CT, for approval of regulated activities for construction of 27 single and multifamily houses and associated site improvements and completion of the ext. of Colby Drive including utilities drainage structures, and detention pond (Submitted 5/20/2025, Date of Receipt 6/12/25, Tabled to 7/10/25, DRD 8/16/25)

Director Burdick stated that the Executive Director of Habitat for Humanity, Sarah Lufler, had submitted a request to table the application to the next regular scheduled meeting to allow more time for site plan revisions. She read into the record FD#5.

MOTION to table application PZ#25-4SITE to the PZC Regular Meeting of September 11, 2025

RESULT: TABLED

AYE: 6 Wood, Whitescarver, Craig, Miello, Harwood, and Spaziani

EXCUSED: 1 Ribe

NON-VOTING 1 Woody

- B. Discussion & Decision: PZ#25-2ZRA- Applicant/Agent: Eric Treaster for Proposed Zoning

Regulations Text Amendments for the Development of multifamily dwellings. *(Submitted 3/12/25, Date of Receipt 3/13/25, PH must open within 65 days by 5/16/25. PH orig. set for 5/8/25, Opening of PH postponed to 6/12/25 with 27-day ext. granted., PH opened 6/12/25 PH Cont. to 6/26/25, PH cont. 7/10/25, PH cont. to 7/31/25 with 16-day ext. granted, **PH must close by 7/31/25**, DRD 65 Days from close PH).*

Chairman Wood stated that because Ms. Spaziani was not present for the total meeting last time and has not reviewed the recordings, he would like to appoint Alternate Member Nate Woody. Chairman Wood stated for the record that deliberating on the application at this meeting are Commissioner Harwood, Commissioner Craig, Commissioner Woody, Commissioner Miello and himself, Chairman Wood.

Chairman Wood stated that he would like to review the Town Planner's staff report from the PZC Special Meeting of July 31, 2025. He additionally stated that he would like the Commission to consider the third party review that was submitted by Tyche Planning. Attorney Avena of Suisman & Shapiro, stated that the Planner's Report gives a comprehensive analysis of the application and that they should go in order of the sections provided in the document numbered exhibit #51.

Commissioner Harwood stated that he would like to change the recommended effective date of the proposed regulations. Attorney Avena stated that both his comments and pre-determination and the effective date, there can be no avoidance of pre-determination because that is the court's decision to make. He stated that the idea is to make sure every applicant has a fair shot getting their application approved. He stated that the Commission should tread lightly because consistency in town regulations is vital for all developers trying to plan potential development.

Attorney Avena commented on pre-determination. Attorney Avena commented on the timeline of effective dates and why there should be extended time for the effective date. He stated that it is legally impossible to make an effective date the same date an application is approved because there needs to be time to file in the clerk's office and to be published in the paper.

Chairman Wood stated that they would begin with intro section 1 of the planner's report. Commissioner Woody stated that there is probably need to review the interaction of by right applications and special use permits. He stated there is a hard line in the town zones where some zones are all special use permit and then by right and there is no gradient.

Director Burdick reviewed the table on pages 6-4 and 6-5 of the Ledyard Zoning Regulations and spoke about the permit requirement located there. She spoke about how special use permits add an additional layer to application reviews. She reviewed objectives located in the Ledyard Zoning Regulations that are not required. Commissioner Woody stated that section 9 is extensive and asked for clarification on the enforceability of the objectives located in that section. She asked Attorney Avena to comment on that discussion.

Attorney Avena stated that when the Town is in court for the appeal of a special use permit the Commission can argue that they had the right to ask the developers do things differently that presented. He commented on the ability for the Commission to designate special use permits for multi-family housing in different zones. He stated that giving site plan approval in districts the Commission would like to encourage multifamily development is good. He commented on the challenges of Ledyard due to lack of sewer and public water. He commented that if the

Commission should approach the proposed regulation with a planner's mentality and not a zoning mentality.

Commissioner Woody commented that the Commission needs to find a more gradual path from low housing density to higher housing density. Commissioner Woody and Attorney Avena discussed special use permit criteria and what is considered measurable or reasonable by the court systems. He stated that examples of special use permit criteria a Commission could consider are traffic, noise, pollution and so on. Attorney Avena commented on transitional districts and how that may be a more gradual way to increase high density housing without shocking the town.

Director Burdick stated that the zones that are allowed by site plan approval Ledyard center development district will soon have access to the sewer line and would be able to support more intense development. The Ledyard Center transition district is by special use permit which would serve as transition district. She stated that in the Gales Ferry Development District allows multifamily without special use permit. She read from the Ledyard Zoning Regulations on the Gales Ferry Design District summary located on page 6-1. She commented on the need for more population in the Gales Ferry district to support more business.

Director Burdick and the Commission discussed the definition of low intensity if the GFDD and if it applies to all purposes of the district of just commercial. Attorney Avena commented that the court system is not concerned with the summary of purpose but what the regulations say. He commented that if there is a greater density there will be a greater need for commercial business. He stated that the Commission needs to consider how the regs say they can reach these goals.

Commissioner Miello asked for clarification if special use permits vs Site plan approvals encourage or discourage developers. Attorney Avena commented how both processes might interplay with potential developers. Commissioner Woody commented on the concept of middle housing by right to address on going issues with transition districts. Commissioner Woody and Commissioner Miello discussed on the necessity of enforceable standards regardless of applications being site plan approvals or special use permits. Attorney Avena stated that in his experience the court has historically picked on requirement standards in regulations. He stated that special use permits allow Commissions to have more choice in the standards of that application.

Director Burdick stated that she thought about leaving the current height requirements but making multifamily housing by special use permit in any nonresidential zone. She commented on issues with the height requirements in the Ledyard Zoning Regulations. She referenced the drawing located in her staff report marked as exhibit #51 in section 2. She commented that a reasonable height for a 3 story building would be 45 feet. She stated that the Commission could consider making anything over 50 feet a special use permit.

Commissioner Miello stated that he feels the Commission needs to review the set back requirements for multifamily housing to aid privacy issues for surrounding single family homes.

Staff and the Commission discussed discrepancies in the definition of principle structures in the Regulations. They continued to discuss building height requirements. Attorney Avena stated that somewhere in the Regulations would talk about allowing more than one principle structure for multifamily housing. He stated that its more of a definitional issue of principle structures. He

stated that how many principle structures are allowed on a lot should be defined in the zones. Staff and the Commission talked about the differences between principle strictures vs accessory structures. Director Burdick commented that multifamily housing could consists of single, double or more dwelling units. She stated that the Ledyard Zoning Regulations define accessory structures in section XX of the regulations.

Commissioner Harwood commented on the 65 ft building height. He commented on historical intent of the maximum height for buildings. He stated that he would like to see the 65 ft height limit eliminated. Commissioner Harwood commented on requiring fire escapes for large multi family housing. Director Burdick stated that the Planning & Zoning Commission cannot regulate requirements for fire safety. Commissioner Woody stated that it is a slippery slope to include language for fire safety. He stated that he has struggled with the difference between feet and stories when defining building height. Commissioner Harwood and staff discussed the inability of the Planning & Zoning Commission to vary the zoning regulations. Attorney Avena stated that only the Zoning Board of Appeals can vary the zoning regulations. He stated that in the past Planning Commissions used to have more ability to make allowances on a case-by-case basis. He stated that the 50 feet height requirement is tricky because of all the additions that may need to go on the top of the roof. He commented on several ways to address these issues of height requirements. He commented that the Commission should really consider that they want to see in each district in terms of height. Staff and the Commission talked about average feet of one story and the average grade of a lot. Commissioner Woody stated that he does not think that 35 ft is the right height requirement for multifamily housing. The Commissioner continued to discuss different ways to measure building height. Commissioner Miello stated that he doesn't think 35 ft or 65 ft are correct height requirements.

Commissioner Harwood stated that he has been looking at local Hampton Inns site plans and their building heights and that he was able to use them to get a feel for proposed building heights.

The Commission and Attorney Avena discussed that in the future the Commission may want to consider adjusting their setback requirements for large multifamily housing developments. Director Burdick stated that if the Commission were to make multifamily housing special use permits than they would have more discretion in regulating the set back of the buildings. Staff and the Commissioner discussed having a flat requirement of 50 ft building height and requiring a special use permit for anything over 50 ft.

Director Burdick read from her staff report on starting on page 7 and read out all 22 proposed regulation amendments. The Commissioner and staff discussed various amendments to the proposed regulation changes.

Attorney Avena stated that he would suggest the commission table the application to September to allow staff and himself to review all the changes and make suggestions for the Commission to review at the next meeting and to have mor discussion. Staff and the Commission discussed serval ways to handle voting on the regulation changes at the next meeting.

MOTION to table application PZ#25-2ZRA to the PZC Regular Meeting of September 11, 2025

RESULT: TABLED

MOVER: Howard Craig

SECONDER: James Harwood

AYE: 6 Wood, Whitescarver, Craig, Miello, Harwood, and Woody

EXCUSED: 1 Ribe

NON-VOTING 1 Spaziani

IX. NEW BUSINESS

- A. **PZ#25-5SITE** - 750 (aka "748") Colonel Ledyard Highway, Ledyard, CT - Property Owner, Dominick Ceravolo - Applicant, Ryan Forestt, Ryan's Reliable Services, LLC & Reliable Roadside Assistance, Inc. for site plan approval for two businesses for 1. Light Duty Towing and Roadside Assistance and 2. Full Service Landscape Company. (Submitted 7/09/25, Date of Receipt 7/10/25, DRD 9/12/25)

Director Burdick stated that the applicant and Mr. Garnder are revising the site plan and have requested to be tabled to the next meeting.

MOTION to table application PZ#25-5SITE to the PZC Regular Meeting of September 11, 2025

Discussion: The Commission and staff briefly discussed the site plan that was submitted with the application. Director Burdick stated that the plan that was submitted is only existing conditions. They briefly discussed the historical use of the property.

RESULT: TABLED

AYE: 6 Wood, Whitescarver, Craig, Miello, Harwood, and Spaziani

EXCUSED: 1 Ribe

NON-VOTING 1 Woody

- B. **PZ#25-6SITE** - 1598 Route 12, Gales Ferry, CT (PARCEL ID: 106-2120-1598) - Applicant/Owner, George Koutouzil, Gales Ferry Plaza - for approval of conversion of second level to 3 one bedroom apartments within existing footprint of building (Submitted 7/16/25, Date of Receipt 8/14/25, DRD 10/18/25)

Director Burdick read her staff report for the record marked as FD#6.

Applicant, George Koutouzil, stated that he would take any questions from the Commission. Chairman Wood asked if the applicant felt there would be any issues meeting the requirements from the building department and the suggested conditions of approval. The applicant stated that he could meet all necessary requirements. He and the Commission discussed accessibility on the site. Commissioner Woody stated that he would like to see better outdoor lighting for the plan.

MOTION to APPROVE Application PZ#25-6SITE - 1598-1600 Route 12 (PARCEL ID: 106-2120-1598), Gales Ferry, CT - Applicant/Owner, George Koutouzil, Gales Ferry Plaza,

LLC for site plan approval to convert existing commercial building to mixed-use commercial/residential by converting the existing second floor commercial space to three (3) one-bedroom single-family apartments within existing footprint in that the application, supporting documents and a plan entitled “Proposed Survey, Prepared for Gales Ferry Plaza, LLC, 1598 RT. 12, Gales Ferry, CT, Assessor’s Map 106/Lot 1598, Prepared by Kenneth J. Picard, L.S., Picard Land Surveying, LLC, Dated February 3, 2017, Revised to 4/3/25 and Revised to 5/15/25”:comply with all applicable sections of the Ledyard Zoning Regulations, with the following conditions:

1. Prior to endorsement of the final plan the following revisions shall be made:

- a. Revise plan to show additional handicap parking space in front of Building #2 (1600 Rte. 12) for the proposed residential use per the Building Official and any associated accessible ramps, striping, etc. and add detail for sign and required striping.
- b. Revise plan to show location and detail for signs designating residential parking only.
- c. Trash Management - Revise plan to show location of trash receptacles and screening (ZR Sec. 9.6)
- d. Revise plan to show lighting locations.
- e. Revise Note 6 to show “Gales Ferry Development District (GFDD).”
- f. Revise Title Block to add Property Survey “and Site Plan.”
- g. Revise Parking Compliance Table to 1. Show one required handicap parking space for Building #2 proposed residential use; 2. Show total “on-site” parking required - 36 spaces ; 3. Showing total “on-site” parking provided - 38 spaces; and 4. Show total existing parking spaces (on-site & in State Right of Way - 80.

2. The Commission has found that all the information specified in the “Site Plan Check Sheet” is not needed to assure the proposed us will be in compliance with the substantive provisions of the zoning regulations per ZR Sec 11.2.1.E (Site Plan Submissions) due to minimal site improvements and interior renovations to construct dwelling units on second floor within the existing footprint.

3. Four (4) final plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by L.S., P.E. & C.S.S.

4. The final approved site plan set, following endorsement, shall be filed on the Land Records in the Office of the Town Clerk within 90-days following its approval, et al. No zoning permit to start work shall be issued until filed. Proof of said filing shall be submitted to the Land Use Dept.

5. An approved Zoning Permit is required prior to the start of any work.

6. Following the issuance of a zoning permit to start work, the Zoning Official and/or Land Use Director shall be contacted and a pre-construction meeting shall be held at least one-week prior to start of any work.

7. After work has commenced, any substantive changes to the approved site plan require review and approval by the Land Use Director and/or the Planning & Zoning Commission.

8. Applicant shall meet all of the requirements of the Ledyard Building Department, Fire Marshal, and Ledge Light Health District for required permitting and inspections.

9. Prior to issuance of any Certificate of Zoning Compliance, all site improvements shall be constructed in accordance with the approved site plan. A complete As-Built plan certified to A-2 accuracy shall be submitted to the Zoning Official and/or Land Use Director at their request for review & approval.

RESULT: APPROVED WITH CONDITIONS

MOVER: Howard Craig

SECONDER: Matthew Miello

AYE: 6 Wood, Whitescarver, Craig, Miello, Harwood, and Spaziani

EXCUSED: 1 Ribe

NON-VOTING 1 Woody

C. Sustainable CT Ad Hoc Committee: Discussion

Director Burdick read the resolution into the record. The Commissioner briefly discussed requirements of the committee and their goals.

D. Discussion of Reports - Center for Housing Opportunities, Beth Sabilia, Exec. Director:

Director Burdick stated that Beth Sabilia would be available to come on September 11th to speak with the Commission on the reports.

Commissioner Woody stated that he felt that the reports were directly applicable to Ledyard because it looked at New London County as a whole.

X. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

A. PZC Regular Meeting Minutes of July 10, 2025

MOTION to approve the PZC Regular Meeting Minutes of July 10, 2025

RESULT: APPROVED AND SO DECLARED

MOVER: James Harwood

SECONDER: Howard Craig

AYE: 6 Wood, Whitescarver, Craig, Miello, Harwood, and Spaziani

EXCUSED: 1 Ribe

NON-VOTING 1 Woody

B. PZC Special Meeting Minutes of July 31, 2025

MOTION to approve the PZC Special Meeting Minutes of July 31, 2025.

RESULT: APPROVED AND SO DECLARED

MOVER: Matthew Miello

SECONDER: James Harwood

AYE: 6 Wood, Whitescarver, Craig, Miello, Harwood, and Spaziani

EXCUSED: 1 Ribe

NON-VOTING 1 Woody

XI. CORRESPONDENCE

None.

XII. REPORTS

A. ZEO Staff Report of August 14, 2025

ZEO, Hannah Gienau, stated if the Commission has any questions they could email her or call her office.

B. Planner Staff Report of August 14, 2025

No report.

XIII. ADJOURNMENT

Commissioner Craig moved the meeting be adjourned, seconded by Commissioner Miello

VOTE Approved and so declared, the meeting was adjourned 9:23 p.m.

Respectfully submitted,

Secretary Beth Ribe
Planning & Zoning Commission

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