



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Planning & Zoning Commission

~ AGENDA ~

Chairman Marty
Wood

Regular Meeting

Thursday, January 9, 2025

6:00 PM

Council Chambers - Hybrid Format

REMOTE MEETING INFORMATION

Join Zoom Meeting

<https://us06web.zoom.us/j/85857044161?pwd=6fIX7desQpslRB8cHxjfbGNWUDUxURI.1>

Meeting ID: 858 5704 4161 Passcode: 512456

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
- IV. APPROVAL OF ADDITIONS TO AND/OR CHANGES TO THE ORDER OF THE AGENDA
- V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY)
- VI. PRE APPLICATION DISCUSSION AND/OR WORKSHOP

None.

- VII. PUBLIC HEARINGS/APPLICATIONS

None.

- VIII. 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, Orig. DRD 11/15/24, Tabled to 12/12/24 w Ext. Granted, Rqst to table to 1/9/25 w Ext. Granted, DRD 1/9/25).

- Attachments:** [FD#1 24-10SITE & 24-11CAM 109MilitaryHwy Application&SupportingDocs](#)
[FD#2 24-10SITE24-11CAM 109MilitaryHigHwy ReferralDEEPLWRD 082624](#)
[FD#3 24-10SITE24-11CAM 109MilitaryHwy MTVReferral 082624](#)
[FD#4 24-10SITE24-11CAM EmailQuispe DEEPLWRD ConfimReceiptReferral 082724](#)
[FD#5 24-10SITE24-11CAM ReferralTE 091624](#)
[FD#6 24-10SUP24-11CAM ReqToTableWExt. 111424](#)
[FD#7 24-10SUP-11CAM 2ndReqToTableWExt 120424](#)

- 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, Tabled to 12/12/24, Request to Table to 1/9/25, DRD 01/17/24)
- C. 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, PH Cont. to 12/12/24, PH Cont. to 12/19/24, Cont. to 1/23/25, 65 Day Ext. Granted, PH must close by 12/20/24, DRD 65-days from close PH). ****TABLED TO 1/23/2025 MEETING****

IX. NEW BUSINESS

- A. Application PZ#21-10RESUB Fire Side Farm 4-Lot Resubdivision, 34 Village Drive, Owner: Anthony Silvestri & Reuven Drive, Ledyard, CT, Owners: Mario Luis Mendez & Susan Ponta; Applicant: James Bernardo, Land Surveying, LLC, Zone R-40, 12.42 Acres for request for referral to Town Council to accept completed Extension of Village Drive as a Town Road.
- B. Application PZ#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.

X. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

- A. MOTION to approve PZC Special Meeting Minutes of October 10, 2024
- B. MOTION to approve PZC Special Meeting Minutes of November 14, 2024
- C. MOTION to approve PZC Special Meeting Minutes of November 21, 2024

- Attachments:** [PZC Special Meeting 11-21-2024 Draft](#)

D. MOTION to approve PZC Special Meeting Minutes of December 5, 2024

E. MOTION to approve PZC Special Meeting Minutes of December 12, 2024

F. MOTION to approve PZC Special Meeting Minutes of December 19, 2024

XI. CORRESPONDENCE

XII. REPORTS

A. Staff Reports

Attachments: [AMIS ActvitiyReportJune-August 2024 PZC](#)

XIII. ADJOURNMENT

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



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-0780

Agenda Date: 1/9/2025

Agenda #: A.

LAND USE APPLICATION

Subject/Application:

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, Orig. DRD
11/15/24, Tabled to 12/12/24 w Ext. Granted, Rqst to table to 1/9/25 w Ext. Granted, DRD 1/9/25*).

Background:

(type text here)

Land Use Director/Town Planner:

(type text here)



FD# 1

RECEIVED

TOWN OF LEDYARD
APPLICATION FOR
PLANNING & ZONING COMMISSION REVIEW

AUG 19 2024
LAND USE DEPARTMENT

Application Number 24-10 SITE 24-113 Submission Date 8/19/24 Official Receipt Date 8/19/24
FEE: \$260.00 DATE PAID 8/19/24 RECEIPT # 575054

Applicant/Agent FRANK C BORAWSKI PELS (Please Print Legibly)

Signature: [Handwritten Signature]

Address: 107 OLD WINDSOR Rd BLOOMFIELD CT Telephone 860 543 4692

E-Mail Address: FRANKB@PDSEC.COM

Owner Name (if different): JAMES ONORATO

Address of Owner: 109 MILITARY HIGHWAY Telephone 860 608 7668

Location of Work (Street Address) 109 MILITARY HIGHWAY

Tax Assessor's Map. Block Lot Zone

Is this property within 500 feet of another municipality? Y (N) CAM Zone (Y) N

Existing Use RESIDENTIAL HOME CAM Exempt Y N

Special Permit Site Plan Review Regulation Change Zone Map Change

CAM Review Other:

Details: BANK STABILIZATION TO PREVENT PROPERTY LOSS

Approved by Date

Denied by Date

COASTAL SITE PLAN APPLICATION

RECEIVED

1. Coastal Site Plan 109 MILITARY HIGHWAY, GALES POINT

All coastal site plans shall include the location of coastal resources on and adjacent to the project site, in addition to other requirements of any applicable regulations.

AUG 19 2024

LAND USE DEPARTMENT

2. Project Description: PROPOSED BANK STABILIZATION. THE EROSION ALONG THE BANK HAS ALREADY TAKEN OUT LARGE SHADE TREES AND IS THREATENING OTHERS. ALSO THE EXISTING SHED IS IN DANGER AS WELL AS THE DRIVEWAY.

Design: ADDITION OF STONE AND RIP RAP AS SHOWN ON PLANS TO PREVENT ADDITIONAL EROSION AND LOSS OF PROPERTY.

Timing: ONCE ALL PERMITS ARE IN PLACE WORK WILL BEGIN.

Methods of Construction: A LARGE EXTENSION EXCAVATOR WILL BE USED TO SET STONES & RIP RAP. ALL WORK TO BE CENTERED AROUND LOW TIDE.

3. Coastal Resources (on and adjacent to the site): FLOOD HAZARD AREA, ESTUARINE EMBAYMENT, TIDAL WETLANDS, SHORELANDS.

4. Applicable Coastal Resource Policies: SEE ATTACHED SHEETS

(attach additional sheets if necessary)

5. Applicable Coastal Use Policies: SEE ATTACHED SHEETS

6. Do you feel that this proposal is consistent with the Coastal policies identified above? YES Why? _____

THIS EXACT WORK WAS PERFORMED ON A SECTION OF THIS PROPERTY FOR HIS DOCK PERMIT. THIS AREA HAS REMAINED STABLE. THIS WORK WAS DONE IN ACCORDANCE OF THE POLICIES GOVERNING THIS AREA.

7. Impacts of the proposed activity on the condition, character, function and value of the coastal resources affected by the project (on and adjacent to site).

Beneficial

Adverse

SLOPE STABILIZATION
EVENTUAL NEW PLANT
GROWTH (SEE PHOTOS)

WORK IN TIDAL AREA

8. Describe measures proposed to lessen adverse impacts identified above.

ALL WORK WILL BE DONE AROUND THE MEAN LOW TIDE TO MINIMIZE IMPACT TO THE POND. THE FILL IS CONTROLLED, AND THIS MAINTAINS ALL WORK WILL BE DONE PER THE OUTLINES OF THE PLANS.

9. Describe potential beneficial and adverse impacts on opportunities for future water dependent uses on and adjacent to the site.

Beneficial	Adverse
NONE	NONE

10. Describe measures proposed to lessen adverse impacts listed above.

N/A

11. Describe any adverse impacts that will remain after utilizing measures listed in 8 and 10 above.

NONE

12. Explain why these remaining impacts are reasonable.

N/A

13. The requirements of items 1-12 above represent the minimum information necessary to fulfill the requirements of P. A. 79-535. In addition, as necessary, the Commission and/or the Zoning Official may require additional information, including but not limited to the following, to be submitted as part of the Coastal Site Plan Application:

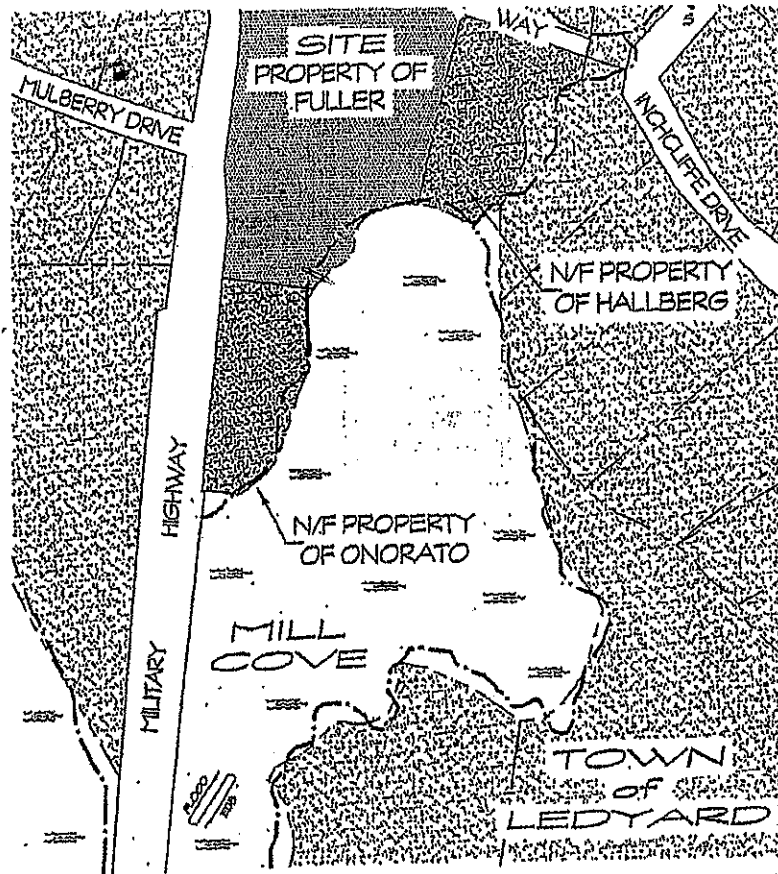
- a. For proposed filling, excavating, and dredging activities, the volume, origins and destinations of materials, chemical compositions, nature and type of material.
- b. Description of the character and condition of all coastal resources on and adjacent to the site.
- c. Description of significant natural features occurring on and adjacent to the site.
- d. Lists of plant and animal species found on and adjacent to the site, including but not limited to dominant species and rare and endangered species.
- e. Assessment of value and quality of biologic habitat.
- f. Description of type, extent and condition of significant geologic and hydrologic features.
- g. Description of significant historical and cultural features on and adjacent to the site.

BANK STABILIZATION PLAN
for
JAMES & SANDRA ONORATO

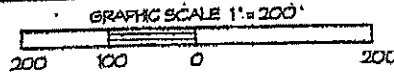
109 MILITARY HIGHWAY
GALES FERRY, CT. 06335

APPLICATION #

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AUG 19 2024
LAND USE DEPARTMENT

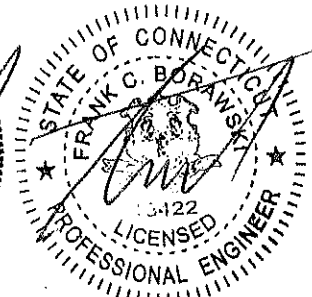
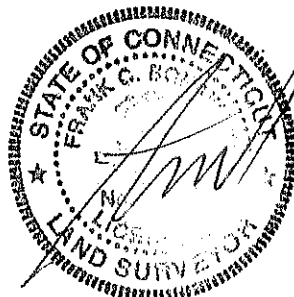


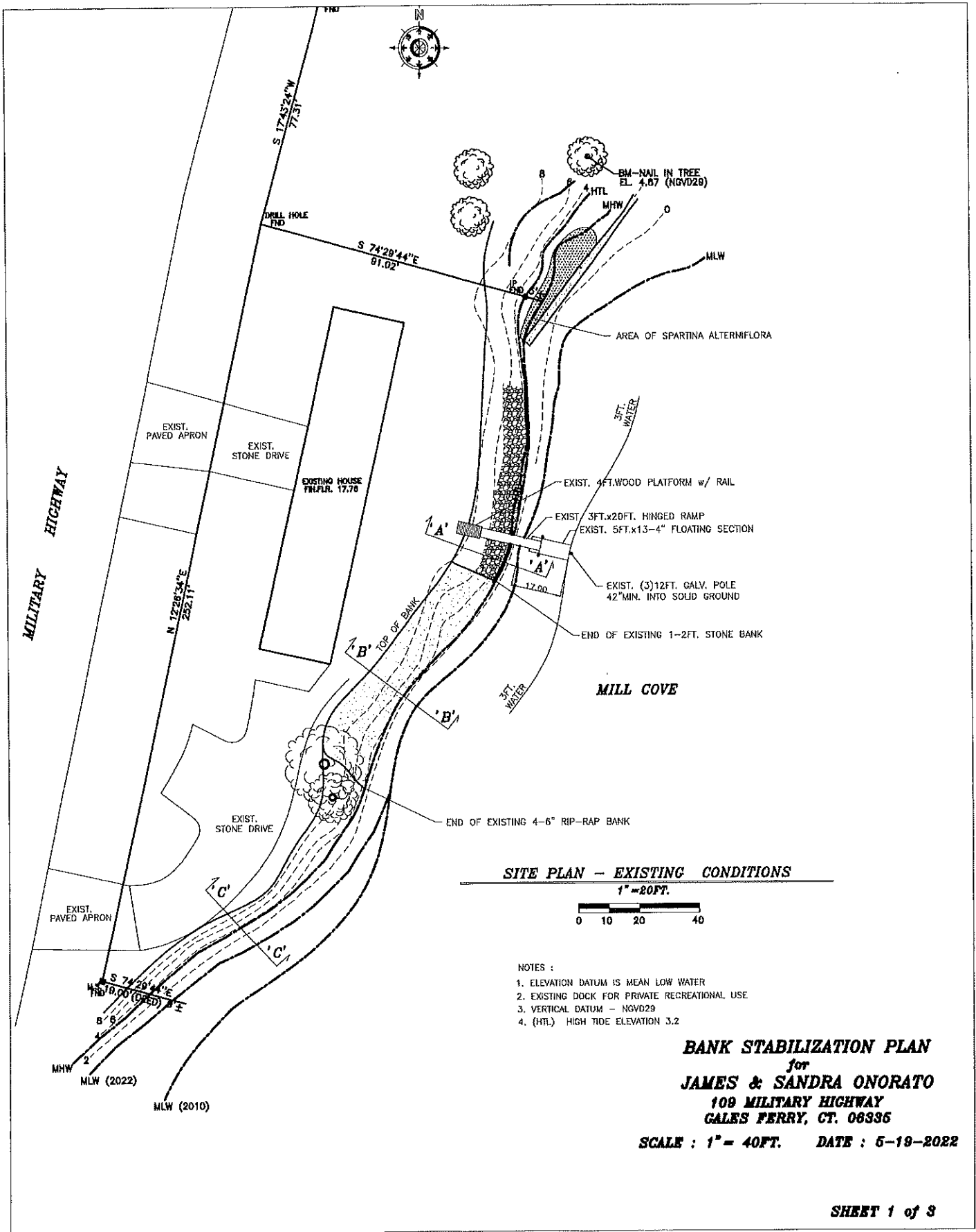
OVERALL PLAN



LIST OF DRAWINGS :

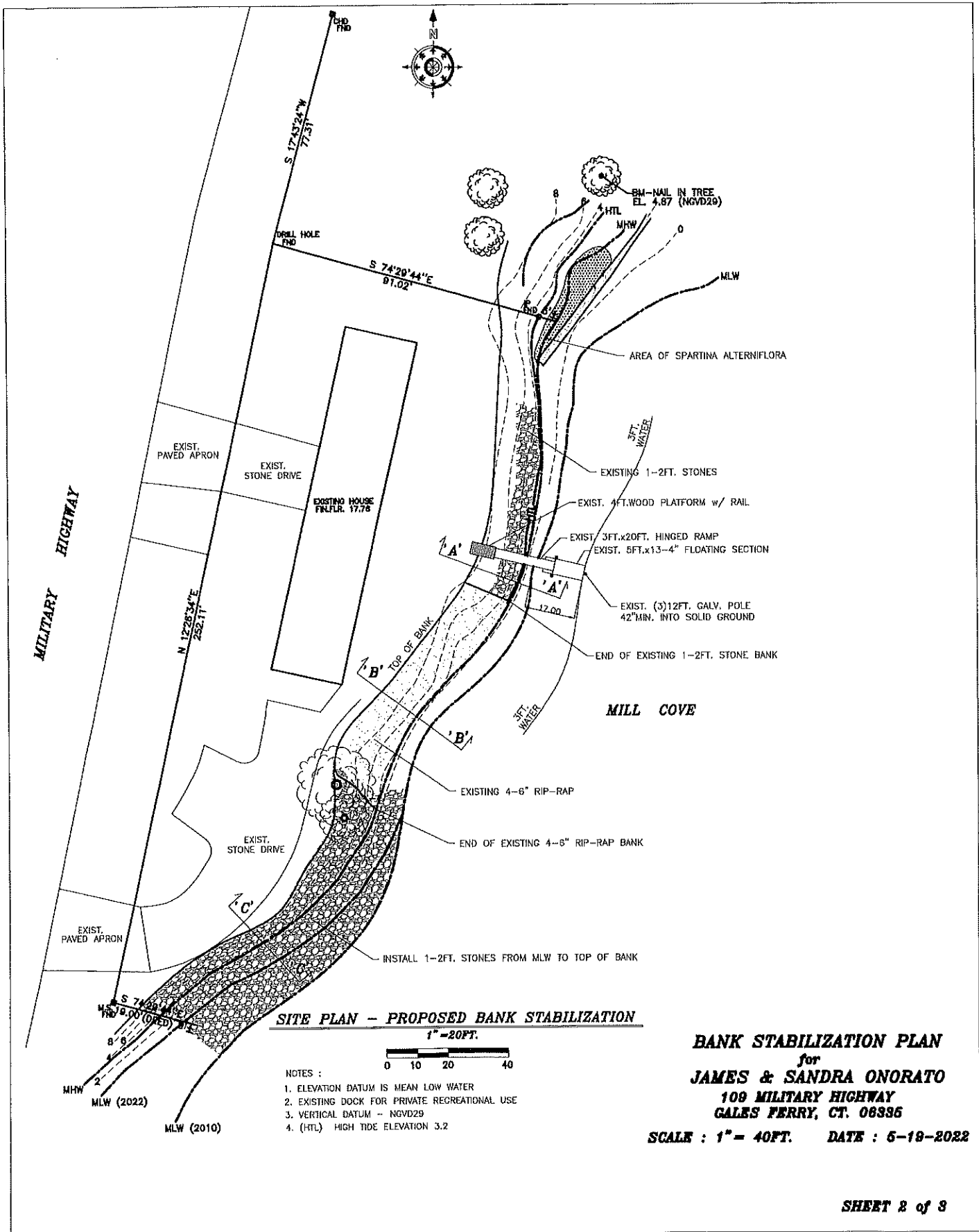
- 1 OF 3 EXISTING CONDITIONS PLAN
- 2 OF 3 PROPOSED STABILIZATION PLAN
- 3 OF 3 EXISTING & PROPOSED SLOPE CROSS SECTIONS

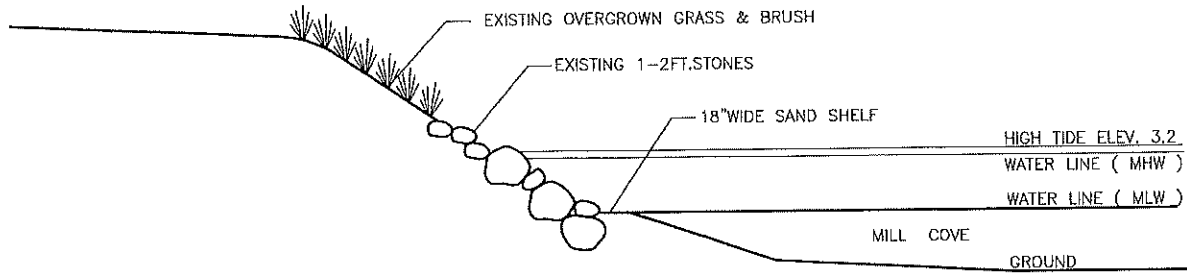




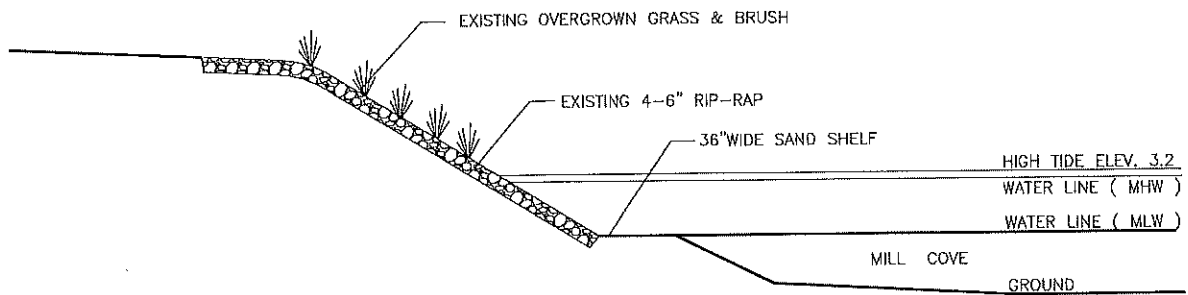
BANK STABILIZATION PLAN
 for
JAMES & SANDRA ONORATO
 109 MILITARY HIGHWAY
 GALES FERRY, CT. 06336

SCALE : 1" = 40FT. DATE : 5-19-2022

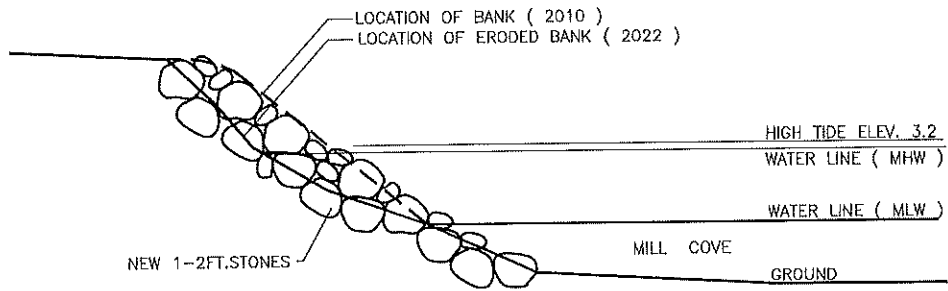




EXISTING SECTION @ STONE BANK "A-A"
 $1/8" = 1' - 0"$



EXISTING SECTION @ RIP-RAP BANK "B-B"
 $1/8" = 1' - 0"$



PROPOSED ERODED BANK REPAIR SECTION "C-C"
 $1/8" = 1' - 0"$

BANK STABILIZATION PLAN
 for
JAMES & SANDRA ONORATO
 109 MILITARY HIGHWAY
 GALES FERRY, CT. 06935
 SCALE : $1/8" = 1' - 0"$ DATE : 5-19-2022

SHEET 3 of 3

RECEIVED

AUG 19 2024

LAND USE DEPARTMENT



- Soil & Wetland Studies
- Ecology • Application Reviews
- Listed Species Surveys • GPS
- Environmental Planning & Management
- Ecological Restoration & Habitat Mitigation
- Expert Testimony • Permitting

July 23, 2024

VIA E-MAIL

Mr. and Mrs. James & Sandra Onorato
109 Military Highway
Gales Ferry, CT 06335

RE: REVIEW OF BANK STABILIZATION PLAN

109 Military Highway, Gales Ferry, CT

REMA Job No.: 24-2724-LED7

Dear Mr. and Mrs. Onorato:

At your request, on July 19th, 2024, REMA ECOLOGICAL SERVICES, LLC (REMA), conducted a site investigations at the above-referenced single-family residential property, for the purpose of obtaining baseline data, and reviewing a "Bank Stabilization Plan" (4 sheets) prepared to address the ongoing bank erosion along the banks of Mill Cove, an embayment of the Thames River (see Figure 1, and Photos 1 to 2, attached).

Based both on the on-site investigation, as well as review of secondary-sources, such as the Connecticut Environmental Conditions Online (CTECO) GIS-based mapping, the regulated resource associated with the subject property is tidal, which includes narrow stands of *Spartina alterniflora* (smooth cordgrass). According to the National Wetlands Inventory (NWI), Mill Cove and associated wetlands are classified as *estuarine, subtidal, unconsolidated bottom, mixohaline/mixosaline* (brackish) (E1UBL3) system.

The plan proposes to armor a roughly 100-foot long section of eroding and unstable steep bank from mean low water (MLW) to the top of bank with 1 to 2 foot stone. This steep bank, with erodible, sandy glaciofluvial (i.e., stratified sand and gravel) soils (see attached CT Web Soil Survey), has been experiencing slumping and erosion, particularly in the intertidal zone, resulting in exposure of root systems and toppling over of trees into the tidal system. If not

Mr. & Mrs. James and Sandra Onorato
RE: 109 Military Highway, Gales Ferry, CT
July 23, 2024
Page 2



stabilized, slope failure is highly likely, not only adversely impacting the regulated waters, but also causing significant property damage.

It is our professional opinion that the mitigative strategies proposed and shown on the "Bank Stabilization Plan," dated 5-19-2022, can be accomplished without any significant impacts to the regulated resources, and avert a future significant impact upon them.

Please feel free to contact us if you have any questions.



Respectfully submitted,


REMA ECOLOGICAL SERVICES, LLC

A handwritten signature in black ink, which appears to read "George T. Logan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

George T. Logan, MS, PWS, CSE
Certified Professional Wetland Scientist
Registered Soil Scientist, Certified Senior Ecologist

Attachments: Figure 1; Photos 1 to 1; CT Web Soil Survey

	SITE/LOCATION: 109 Military Highway Gales Ferry, CT	REMA JOB NO.: 24-2724-LED7	ANNOTATED PHOTO LOG
	INVESTIGATOR(S): George T. Logan, MS, PWS, CSE		
DATE: July 19, 2024	FACING: SOUTHWESTERLY	PHOTO NO.: 1	
		<i>Comments: View of slope down to the Mill Pond tidal system</i>	

DATE: July 19, 2024	FACING: NORTHWESTERLY	PHOTO NO.: 2	
		<i>Comments: Example of bank erosion and toppling over of trees, within the section to be stabilized.</i>	



CT Environmental Conditions Online **FIGURE 1: 109 Military Highway, Gales Ferry, Connecticut**
 as seen on a 2016 aerial photo with 2016 State topography



1: 1,128



This map is intended for general planning, management, education, and research purposes only. Data shown on this map may not be complete or current. The data shown may have been compiled at different times and at different map scales, which may not match the scale at which the data is shown on this map.

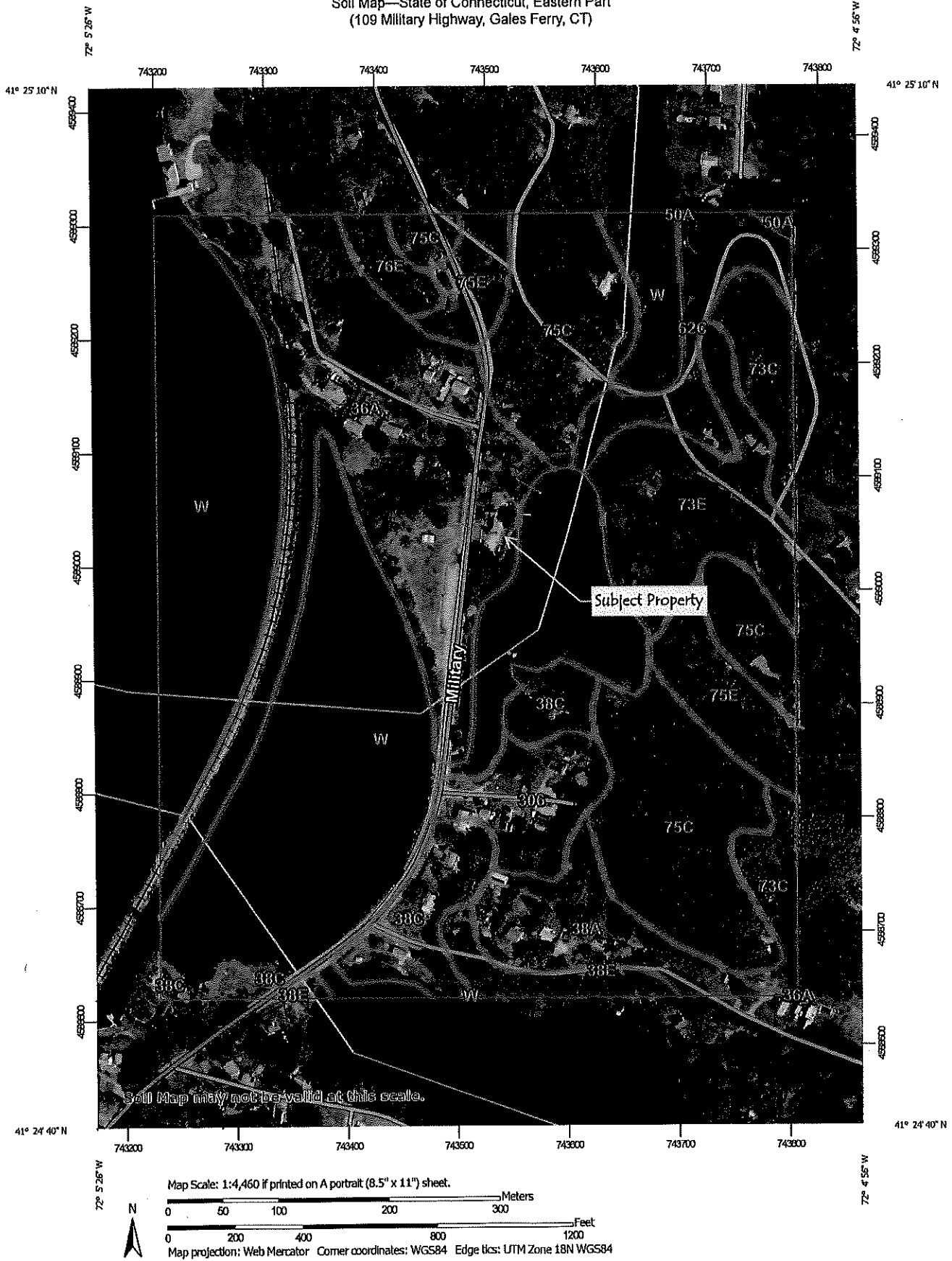
© Connecticut Environmental Conditions Online **THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Legend

- Federal Open Space
- DEEP Property
 - State Forest
 - State Park
 - State Park Scenic Reserve
 - State Park Trail
 - Natural Area Preserve
 - Historic Preserve
 - Wildlife Area
 - Wildlife Sanctuary
 - DEP Owned Waterbody
 - Water Access
 - Flood Control
 - Fish Hatchery
 - Other
- Parcels for Protected Open Sp
- Light Gray Canvas Base

Notes

Soil Map—State of Connecticut, Eastern Part
(109 Military Highway, Gales Ferry, CT)



MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI)
 - Soils
 - Soil Map Unit Polygons
 - Soil Map Unit Lines
 - Soil Map Unit Points
- Special Point Features
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography
- Soil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut, Eastern Part
Survey Area Data: Version 1, Sep 15, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 14, 2022—Oct 6, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
36A	Windsor loamy sand, 0 to 3 percent slopes	17.6	17.9%
38A	Hinckley loamy sand, 0 to 3 percent slopes	3.9	4.0%
38C	Hinckley loamy sand, 3 to 15 percent slopes	4.5	4.6%
38E	Hinckley loamy sand, 15 to 45 percent slopes	1.6	1.6%
50A	Sutton fine sandy loam, 0 to 3 percent slopes	0.1	0.1%
62C	Canton and Charlton fine sandy loams, 3 to 15 percent slopes, extremely stony	3.3	3.4%
73C	Charlton-Chatfield complex, 0 to 15 percent slopes, very rocky	3.8	3.8%
73E	Charlton-Chatfield complex, 15 to 45 percent slopes, very rocky	6.3	6.4%
75C	Hollis-Chatfield-Rock outcrop complex, 3 to 15 percent slopes	14.9	15.1%
75E	Hollis-Chatfield-Rock outcrop complex, 15 to 45 percent slopes	4.2	4.2%
76E	Rock outcrop-Hollis complex, 3 to 45 percent slopes	1.0	1.1%
306	Udorthents-Urban land complex	3.1	3.1%
W	Water	34.2	34.7%
Totals for Area of Interest		98.6	100.0%



- Soil & Wetland Studies
- Ecology • Application Reviews
- Listed Species Surveys • GPS
- Environmental Planning & Management
- Ecological Restoration & Habitat Mitigation
- Expert Testimony • Permitting

August 1, 2024

VIA E-MAIL

Mr. and Mrs. James & Sandra Onorato
109 Military Highway
Gales Ferry, CT 06335

RE: REVIEW OF BANK STABILIZATION PLAN - SUPPLEMENTAL
109 Military Highway, Gales Ferry, CT

REMA Job No.: 24-2724-LED7

Dear Mr. and Mrs. Onorato:

At your request, I am providing herein a further clarification regarding regulated wetlands at the above-reference property. All of the wetland and open water resources are tidal. There are no inland wetlands (i.e., freshwater, non-tidal) associated with the subject site.

Please feel free to contact us if you have any questions.

Respectfully submitted,

REMA ECOLOGICAL SERVICES, LLC

George T. Logan, MS, PWS, CSE
Certified Professional Wetland Scientist
Registered Soil Scientist, Certified Senior Ecologist

RECEIVED

AUG 19 2024



LAND USE DEPARTMENT
Office of Long Island Sound Programs
Fact Sheet
for
COASTAL HAZARD AREAS

What are Coastal Hazard Areas?

Coastal hazard areas are statutorily defined as those land areas inundated during coastal storm events or subject to erosion induced by such events, including flood hazard areas as defined and determined by the National Flood Insurance Act and all erosion hazard areas as determined by the Commissioner [Connecticut General Statutes (CGS) section 22a-93(7)(H)]. In general, coastal flood hazard areas include all areas designated as within A-zone and V-zones by the Federal Emergency Management Agency (FEMA). A-zones are subject to still-water flooding during so called "100-year" flood events. During 100-year flood events, V-zones are subject to direct action by waves three feet or more in height.

Why are they valuable?

Coastal hazard areas encompass most other important coastal resources, can serve as flood storage areas, and provide numerous open space and recreational opportunities. They are, by their nature, hazardous areas for structural development, especially residential-type uses.

**** What are the statutory policies that apply?***

To manage coastal hazard areas so as to insure that development proceeds in such a manner that hazards to life and property are minimized and to promote nonstructural solutions to flood and erosion problems except in those instances where structural alternatives prove unavoidable and necessary to protect existing inhabited structures, infrastructural facilities or water-dependent uses [CGS section 22a-92(b)(2)(F)]. An "existing inhabited structure" is a building which was constructed and inhabited prior to authorization of the CCMA on January 1, 1980 and is still in residential use.

To maintain the natural relationship between eroding and depositional coastal landforms; to minimize the adverse impacts of erosion and sedimentation on coastal land uses through the promotion of nonstructural mitigation measures. Structural solutions are permissible when necessary and unavoidable for the protection of infrastructural facilities, water-dependent uses, or existing inhabited structures, and where there is no feasible, less environmentally damaging alternative and where all reasonable mitigation measures and techniques have been provided to minimize adverse environmental impacts [CGS section 22a-92(b)(2)(J)].

To maintain, enhance, or, where feasible, restore natural patterns of water circulation and fresh and saltwater exchange in the placement or replacement of culverts, tide gates or other drainage or flood control structures [CGS section 22a-92(c)(2)(B)].

In addition, the Connecticut Coastal Management Act defines as an adverse impact:

Increasing the hazard of coastal flooding through significant alteration of shoreline configurations or bathymetry, particularly within high velocity flood zones [CGS section 22a-3(15)(B)].

During the coastal site plan review process, a determination must be made that adverse impacts have been avoided and unavoidable adverse impacts have been minimized in order to lawfully approve the application. See the coastal site plan review and adverse impacts fact sheets for further information.

What can a municipality do to minimize impacts to these sensitive coastal resources?

- N** Update municipal Plan of Conservation and Development, Municipal Coastal Program, if applicable, and zoning regulations and subdivision regulations to better manage development in coastal hazard areas by incorporating language that reflects the following guidance.
- N** Apply the National Flood Insurance Program flood plain management requirements [24 Code of Federal Regulations (CFR) 60.3] to: 1) all activities in designated A-zones and floodways; and 2) to all new construction or substantial improvements in designated coastal high hazard zones (V-zones).
- N** Prevent development of high-density residential-type uses (e.g., condominium complexes, elderly housing, hospitals, assisted living facilities, hotels/motels, etc.) in V-zones. Allow such uses in A-zones only if access to the site is not flood prone and the applicant can demonstrate the project has been designed so that risks to life and property are not increased.
- N** Site all facilities that have the potential to cause pollution or hazardous conditions as a result of flooding or erosion, such as energy or oil and chemical handling facilities, outside of coastal hazard areas (A and V zones). If a facility, because of its water-dependent nature, cannot be located outside of a coastal flood hazard area, incorporate flood-proofing measures in the design of the facility to protect against flooding including extreme conditions (generally a 500-year frequency flood event or greater).
- N** Site all new or substantially improved buildings, dwellings and non-water-dependent structures out of the designated coastal high hazard area (V-Zone).



Office of Long Island Sound Programs

Fact Sheet

for

COASTAL WATERS AND ESTUARINE EMBAYMENTS

What are Coastal Waters and Estuarine Embayments?

Coastal waters are those waters of Long Island Sound and its harbors, embayments, tidal rivers, streams and creeks, which contain a salinity concentration of at least five hundred parts per million under the low flow stream conditions as established by the commissioner [Connecticut General Statutes (CGS) section 22a-93(5)].

Coastal waters can be separated into "nearshore waters," "offshore waters" and "estuarine embayments."

Nearshore Waters are those waters and their substrates lying between mean high water and a depth approximated by the ten meter contour [CGS section 22a-93(7)(K)].

Offshore Waters means the area comprised of those waters and their substrates lying seaward of a depth approximated by the ten meter contour [CGS section 22a-93(7)(L)].

Estuarine Embayments are a protected coastal body of water with an open connection to the sea in which saline sea water is measurably diluted by fresh water including tidal rivers, bays, lagoons and coves [CGS section 22a-93(7)(G)].

Why are they valuable?

Coastal waters are areas of high primary and secondary productivity. Coastal waters provide habitat for a variety of marine organisms (shellfish, finfish, crustaceans and benthic organisms); support many diverse floral and faunal species; provide spawning and breeding areas for many species; and are an important contributor to the productivity of contiguous ocean waters. Coastal waters are critical to the assimilation of industrial, commercial and residential wastes; support commercial and recreational fisheries; are important to marine transportation and navigation; and provide recreational opportunities for boating, swimming, fishing, diving and vistas.

Estuarine embayments are semi-enclosed bodies of coastal waters, such as tidal rivers or coves, which are measurably diluted by freshwater inputs. As such they have high biological productivity; provide significant habitat for shellfish, finfish and waterfowl; serve as spawning and feeding grounds for commercially important finfish; are essential biological corridors for spawning anadromous and catadromous fish; exhibit unique circulation patterns (estuarine circulation) which influence nutrient distribution, control salinity, mix the water column and work and redistribute sediments; supply sheltered areas for the development of eelgrass flats or beds of other submerged aquatic vegetation which are highly productive; provide nursery grounds, shelter and refuge for various aquatic species; are a vital food source for marine organisms, support an important biomass of epiphytic plants (plants that grow on other plants or objects upon which they depend for mechanical support but not as sources of nutrients); and transfer nutrients from sediments into

the water column. Estuarine embayments also provide protected locations for activities such as boating, swimming, fishing and other passive recreational activities and protected areas for deep water access and navigational corridors for commercial and industrial waterfront uses; are areas of unique scientific and educational value, and some embayments contain eelgrass flats which reduce current velocities, control erosion by trapping and binding sediments and provide essential aquatic habitat.

* *What are the statutory policies that apply?*

To manage estuarine embayments so as to insure that coastal uses proceed in a manner that assures sustained biological productivity, the maintenance of healthy marine populations and the maintenance of essential patterns of circulation, drainage and basin configuration; to protect, enhance and allow natural restoration of eelgrass flats except in special limited cases, notably shellfish management, where the benefits accrued through alteration of the flat may outweigh the long-term benefits to marine biota, waterfowl, and commercial and recreational finfisheries [CGS section 22a-92(c)(2)(A)].

It is found and declared that the pollution of the waters of the state is inimical to the public health, safety and welfare of the inhabitants of the state, is a public nuisance and is harmful to wildlife, fish and aquatic life and impairs domestic, agricultural, industrial, and recreational and other legitimate beneficial uses of water, and that the use of public funds and the granting of tax exemptions for the purpose of controlling and eliminating such pollution is a public use and purpose for which moneys may be expended and tax exemptions granted, and the necessity and public interest for the enactment of this chapter and the elimination of pollution is hereby declared as a matter of legislative determination [CGS section 22a-422, as referenced by CGS section 22a-92(a)(2)].

In addition, the Connecticut Coastal Management Act defines as an adverse impact:

Degrading water quality through the significant introduction into either coastal waters or groundwater supplies of suspended solids, nutrients, toxics, heavy metals or pathogens, or through the significant alteration of temperature, pH, dissolved oxygen or salinity [CGS section 22a-93(15)(A)].

During the coastal site plan review process, a determination must be made that adverse impacts have been avoided and unavoidable adverse impacts have been minimized in order to lawfully approve the application. (See the *Coastal Site Plan Review* and *Adverse Impacts* fact sheets for additional information.)

Finally, the state statutes regarding planning and zoning contain specific requirements for zoning regulations and Plans of Development that relate to the restoration and protection of coastal resources. These are:

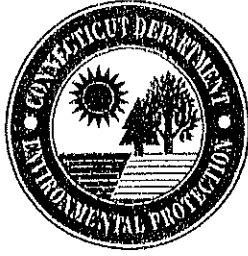
In any municipality that is contiguous to Long Island Sound the regulations adopted under this section shall be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound. Such regulations shall provide that the commission consider the environmental impact on Long Island Sound of any proposal for development [CGS section 8-2(b)].

The plan adopted under this section for any municipality that is contiguous to Long Island Sound shall be made with reasonable consideration for restoration and protection of the

ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound [excerpt from CGS section 8-23].

What can a municipality do to minimize impacts to these sensitive coastal resources?

- * Maintain the continued biological productivity and viability of Long Island Sound as a resource capable of supporting: 1) healthy marine and finfish resources; 2) a broad spectrum of safe and healthy recreational opportunities; and 3) an efficient system of marine transportation and navigation through the protection of coastal water quality. The most direct approach is to adopt and implement a stormwater management ordinance, either as an amendment to the municipal zoning regulations or as a “stand-alone” ordinance. In either case, it should require that the volume of runoff generated by the first one-inch of rainfall is retained on-site and the post-development runoff rates and volumes should not exceed the pre-development runoff rates and volumes. (See *Stormwater Management* fact sheet for additional information.)
- * Review the existing zoning regulations regarding the maximum impervious cover allowed. Reduce this wherever possible, especially adjacent to coastal waters and other sensitive coastal resources. This will aid in protecting coastal water quality by minimizing stormwater discharges.
- * Require regularly scheduled street sweeping and catch basin clean-outs to minimize the amount of sediment, contaminants and floatable debris entering coastal waters through the municipal stormwater management system.
- * Identify outfalls from the municipal stormwater systems and opportunities for retrofits to treat stormwater, especially from roads, prior to discharge.
- * Prohibit the dumping of sand, snow and demolition debris into any waterbodies.
- * Consider coordination with neighboring municipalities on watershed management planning.
- * Update the municipal Plan of Conservation and Development, Municipal Coastal Program, if applicable, and zoning and subdivision regulations to better protect coastal waters and estuarine embayments by increasing buffers between development and these coastal resources, with the possible exception of developed shorefront where water-dependent development is suitable and to improve stormwater management. (See fact sheets regarding *Vegetated Buffers*, *Stormwater Management* and *Adverse Impacts* for more information).
- * Maintain and improve water quality in accordance with the highest standards set by federal, state or local authorities by: 1) preserving and maintaining those waters with existing quality better than established standards; 2) restoring the surface waters of the municipality to a quality consistent with its use for the protection and propagation of fish, shellfish and wildlife including breeding, feeding and nursery grounds and with its use for recreation in and on the water; and 3) restoring all water to the maximum extent possible, at least to a



Office of Long Island Sound Programs Fact Sheet for **TIDAL WETLANDS¹**

What are Tidal Wetlands?

Tidal wetlands are "those areas which border on or lie beneath tidal waters, such as, but not limited to banks, bogs, salt marshes, swamps, meadows, flats, or other low lands subject to tidal action, including those areas now or formerly connected to tidal waters, and whose surface is at or below an elevation of one foot above local extreme high water; and upon which may grow or be capable of growing some, but not necessarily all, of [a list of specific plant species - see Connecticut General Statutes (CGS) section 22a-29(2) for complete list of species]" [CGS section 22a-29, as referenced by CGS section 22a-93(7)(E)]. In general, tidal wetlands form in "low energy" environments protected from direct wave action. They are flooded by tidal waters twice a day and support a diverse ecosystem of vegetation and wildlife.

Why are they valuable?

Tidal wetlands are areas of high nutrient and biological productivity that provide detrital products forming the base of the food web in Long Island Sound. Tidal wetlands provide habitat, nesting, feeding, and refuge areas for shorebirds; serve as a nursery ground for larval and juvenile forms of many of the organisms of Long Island Sound and of many estuarine-dependent oceanic species; and provide significant habitat for shellfish. Tidal wetlands also improve water quality by trapping sediments, reducing turbidity, restricting the passage of toxics and heavy metals, decreasing biological oxygen demand (BOD), trapping nutrients, and buffering storm and wave energy. Tidal wetland vegetation stabilizes shorelines and buffers erosion. Tidal wetlands provide recreational opportunities for fishing, wildlife observation and hunting; are important to commercial and recreational shell- and finfisheries; and are areas of scientific and educational value. Tidal wetlands are a major source of coastal open space.

*** *What are the statutory policies that apply?***

It is declared that much of the wetlands of this state have been lost or despoiled by unregulated dredging, dumping, filling and like activities and despoiled by these and other activities, that such loss or despoliation will adversely affect, if not entirely eliminate, the value of such wetlands as sources of nutrients to finfish, crustacea and shellfish of significant economic value; that such loss or despoliation will destroy such wetlands as habitats for plants and animals of significant economic value and will eliminate or substantially reduce marine commerce, recreation and aesthetic enjoyment and that such loss of despoliation will, in most cases, disturb the natural ability of tidal wetlands to reduce flood damage and adversely affect the public health and welfare; that

such loss or despoliation will substantially reduce the capacity of such wetlands to absorb silt and will thus result in the increased silting of channels and harbor areas to the detriment of free navigation. Therefore, it is declared to be the public policy of this state to preserve the wetlands and to prevent the despoliation and destruction thereof [CGS section 22a-28 as referenced by CGS section 22a-92(a)(2)].

To preserve tidal wetlands and to prevent the despoliation and destruction thereof in order to maintain their vital natural functions; to encourage the rehabilitation and restoration of degraded tidal wetlands; and where feasible and environmentally acceptable, to encourage the creation of wetlands for the purpose of shellfish and finfish management, habitat creation and dredge spoil disposal [CGS section 22a-92(b)(2)(E)].

To disallow any filling of tidal wetlands and nearshore, offshore, and intertidal waters for the purpose of creating new land from existing wetlands and coastal waters which would otherwise be undevelopable, unless it is found that the adverse impacts on coastal resources are minimal [CGS section 22a-92(c)(1)(B)].

To disapprove extension of sewer and water services into developed and undeveloped beaches, barrier beaches and tidal wetlands except that, when necessary to abate existing sources of pollution, sewers that will accommodate existing uses with limited excess capacity may be used [excerpt from CGS section 22a-92(b)(1)(B)].

In addition, the Connecticut Coastal Management Act defines as an adverse impact:

Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or functions [CGS section 22a-93(15)(H)]

Degrading or destroying essential wildlife, finfish or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alterations of the natural components of the habitat [CGS section 22a-93(15)(G)].

During the coastal site plan review process, a determination must be made that adverse impacts have been avoided and unavoidable adverse impacts have been minimized in order to lawfully approve the application. See the *Coastal Site Plan Review* and *Adverse Impacts* fact sheets for additional information.

What can a municipality do to minimize impacts to these sensitive coastal resources?

M Update the municipal Plan of Conservation and Development, Municipal Coastal Program, if applicable, and zoning and subdivision regulations to better protect tidal wetlands by providing development setbacks and vegetated buffers from the upland edge of tidal wetlands which are adequate to protect the wetlands from



Office of Long Island Sound Programs Fact Sheet for *SHORELANDS*

What are Shorelands?

Shorelands are those land areas within the coastal boundary exclusive of coastal hazard areas, which are not subject to dynamic coastal processes and which are comprised of typical upland features such as bedrock hills, till hills, and drumlins [Connecticut General Statutes (CGS) section 22a-93(7)(M)]. In general, shorelands are not located within coastal flood or erosion hazard areas (V-zones and A-zones as defined by the Federal Emergency Management Agency) and contain no tidal wetlands, beaches and dunes or other sensitive resources.

Why are they important?

Shorelands function as immediate sources of upland runoff contributing to coastal drainage, serve as immediate sources of upland sediments, provide scenic vistas, and have high development and redevelopment potential.

What are the statutory policies that apply?

To regulate shoreland use and development in a manner which minimizes adverse impacts upon adjacent coastal systems and resources [CGS section 22a-92(b)(2)(f)].

The statutes regarding planning and zoning also contain specific requirements for zoning regulations and Plans of Conservation and Development that relate to the restoration and protection of coastal resources. These are:

In any municipality that is contiguous to Long Island Sound the regulations adopted under this section shall be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound. Such regulations shall provide that the commission consider the environmental impact on Long Island Sound of any proposal for development [CGS section 8-2(b)].

The plan adopted under this section for any municipality that is contiguous to Long Island Sound shall be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound [excerpt from CGS section 8-23].



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

VIA EMAIL: Eimy.Quispe@ct.gov

August 26, 2024

Eimy Quispe, Environmental Analyst 1
Regulatory East Section
Land and Water Resources Division Bureau of Water Protection and Land Reuse
Connecticut Department of Energy & Environmental Protection
79 Elm Street, Hartford, CT 06106-512

RE: PZ#24-10SITE & 24-11CAM - 109 Military Highway (PARCEL ID: 106-1590-109), Gales Ferry, CT -Applicant/Owner, Frank C Borawski for (CAM) and Special Use Permit (SUP) for Bank Stabilization to Prevent Property Loss & Deterioration

Dear Ms. Quispe,

Attached please find the above-referenced application for Ledyard Planning and Zoning Commission Site Plan/Coastal Site Plan review for a proposed (Thames River) bank stabilization project for your review and comment. The application will be received by the Commission at its regular meeting on 9/12/24. A copy of the application file can be found at the following link: [TOWN OF LEDYARD - Meeting of Planning & Zoning Commission on 8/8/2024 at 6:00 PM \(legistar.com\)](#).

Please confirm receipt of this referral and please contact me with any questions or comments. Thank you.

Sincerely,

Liz Burdick

Director of Land Use & Planning
Town of Ledyard



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

VIA CERTIFIED MAIL #7021 2720 0001 1191 3551

August 22, 2024

Katie Haring, Town Clerk
Town of Montville
310 Norwich-New London Turnpike
Uncasville, CT 06382

RE: PZ#24-10SITE & 24-11CAM - 109 Military Highway (PARCEL ID: 106-1590-109), Gales Ferry, CT -Applicant/Owner, Frank C Borawski for (CAM) and Special Use Permit (SUP) for Bank Stabilization to Prevent Property Loss & Deterioration

Dear Mrs. Haring,

In accordance with C.G.S. §8-7d(f), attached please find the above-referenced application to the Ledyard Planning and Zoning Commission for Site Plan/Coastal Site review for proposed bank stabilization project. Please submit any comments at your earliest convenience. The application will be received by the Commission at its regular meeting on 9/12/24.

Please confirm receipt of this referral and please contact me with any questions or comments. Thank you.

Sincerely,

Anna Wynn

Land Use Assistant

Town of Ledyard

land.use.assist@ledyardct.org

C: Application File

From: [Elizabeth Burdick](#)
To: [Quispe, Eimy](#)
Cc: [Anna Wynn](#)
Subject: Town of Ledyard Referral - PZ#24-10SITE/24-11CAM 109 Military Highway, Gales Ferry, CT
Date: Monday, August 26, 2024 6:18:00 PM
Attachments: [FD#2 24-10SITE24-11CAM 109MilitaryHigHwy ReferralDEEPLWRD 082624.pdf](#)
[FD#1 #24-8SITE-#24-9CAM Application&SupportingDocs 081924.pdf](#)

08/26/24 Good afternoon, Eimy, Attached please find a referral letter and copy of an application for a bank stabilization project within the CT coastal resources boundary for your review and comments. Please contact me with any questions. Thanks.

Regards,

Liz Burdick

Director of Land Use & Planning

Town of Ledyard

741 Colonel Ledyard Highway, Ledyard, CT 06339

Telephone: (860) 464-3215 ~ Email: planner@ledyardct.org

TOWN HALL HOURS: MON-THURS, 7:30AM – 4:45PM

From: [Elizabeth Burdick](#)
To: [Steve Masalin](#)
Cc: [Anna Wynn](#)
Subject: Referral PZ#24-10SITE24-11CAM
Date: Monday, September 16, 2024 9:40:00 AM
Attachments: [FD#1 24-10SITE & 24-11CAM 109MilitaryHwy Application&SupportingDocs.pdf](#)

Steve, Please review the attached application for bank stabilization and advise any issues.
Thanks.

Regards,
Liz Burdick
Director of Land Use & Planning
Town of Ledyard
741 Colonel Ledyard Highway, Ledyard, CT 06339
Telephone: (860) 464-3215 ~ Email: planner@ledyardct.org
TOWN HALL HOURS: MON-THURS, 7:30AM – 4:45PM

From: [Frank Borawski](#)
To: [Elizabeth Burdick](#)
Subject: Re: 109 military highway
Date: Thursday, November 14, 2024 8:58:16 AM

Sent from my iPad

"Dear Ms. Burdick, I would like to request application #24-10SITE24-11CAM be tabled to the December 12, 2024 meeting of the PZC for the above referenced site plan application and grant the Commission a 28-day extension of time to do so. Per your recommendation, we have talked to DEEP LWRD about this application and are trying to work out a mutually acceptable plan. I will try to get you and the state revised drawings this week . Thank you for your help with this project .
Frank Borawski PE

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

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RECEIVED

DEC 04 2024

Land Use Department

From: Frank Borawski
To: Elizabeth Burdick
Subject: Fwd: 109 military highway
Date: Wednesday, December 4, 2024 9:08:01 AM

Sent from my iPad

Begin forwarded message:

From: Frank Borawski <borawskiengineering@gmail.com>
Date: November 14, 2024 at 8:58:07 AM EST
To: Elizabeth Burdick <planner@ledyardct.org>
Subject: Re: 109 military highway

Sent from my iPad

"Dear Ms. Burdick, I would like to request application #24-10SITE24-11CAM be tabled to the January 9th ,2025 meeting of the PZC for the above referenced site plan application and grant the Commission an additional 28 day extension of time to do so. Per your recommendation, we have talked to DEEP LWRD about this application and are trying to work out a mutually acceptable plan. I will try to get you and the state revised drawings this week . Thank you for your help with this project . Frank Borawski PE

Disclaimer

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TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-1014

Agenda Date: 1/9/2025

Agenda #: B.

LAND USE APPLICATION

Subject/Application:

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, Tabled to 12/12/24, Request to Table to 1/9/25, DRD 01/17/24*)

Background:

(type text here)

Land Use Director/Town Planner:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-0779

Agenda Date: 1/23/2025

Agenda #: C.

LAND USE APPLICATION

Subject/Application:

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, PH Cont. to 12/12/24, PH Cont. to 12/19/24, Cont. to 1/23/25, 65 Day Ext. Granted, PH must close by 12/20/24, DRD 65-days from close PH). **TABLED TO 1/23/2025 MEETING******

Background:

(type text here)

Land Use Director/Town Planner:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1245

Agenda Date: 1/9/2025

Agenda #: A.

LAND USE APPLICATION

Subject/Application:

Application PZ#21-10RESUB Fire Side Farm 4-Lot Resubdivision, 34 Village Drive, Owner: Anthony Silvestri & Reuven Drive, Ledyard, CT, Owners: Mario Luis Mendez & Susan Ponta; Applicant: James Bernardo, Land Surveying, LLC, Zone R-40, 12.42 Acres for request for referral to Town Council to accept completed Extension of Village Drive as a Town Road.

Background:

(type text here)

Land Use Director/Town Planner:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1246

Agenda Date: 1/9/2025

Agenda #: B.

LAND USE APPLICATION

Subject/Application:

Application PZ#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.

Background:

(type text here)

Land Use Director/Town Planner:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1224

Agenda Date: 1/9/2025

Agenda #: A.

MINUTES

Minutes:

MOTION to approve PZC Special Meeting Minutes of October 10, 2024



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1225

Agenda Date: 1/9/2025

Agenda #: B.

MINUTES

Minutes:

MOTION to approve PZC Special Meeting Minutes of November 14, 2024



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-1129

Agenda Date: 1/9/2025

Agenda #: C.

MINUTES

Minutes:

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



TOWN OF LEDYARD

Planning & Zoning Commission

Meeting Minutes - Final

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Chairman Marty
Wood

Special Meeting

Thursday, November 21, 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/83723708463?pwd=92g3TrA9hX2Ca7OsFksBIhsGRWjKzD.1>

Meeting ID: 837 2370 8463 Passcode: 841093

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

I. CALL TO ORDER

Chairman Wood called the meeting to order at 6:03 p.m. at the Ledyard Middle School Auditorium and on Zoom.

Present Chairman Marcelle Wood
 Secretary Howard Craig
 Alternate Member Matthew Miello
 Alternate Member Beth E. Ribe
 Alternate Member James Harwood

Recused Vice Chair Paul Whitescarver

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL AND APPOINTMENT OF ALTERNATES

Present Chairman Marcelle Wood
 Alternate Member Beth E. Ribe
 Alternate Member James Harwood

Excused Vice Chair Paul Whitescarver
 Secretary Howard Craig

Late Alternate Member Matthew Miello

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 outlined rules of conduct for the proceedings of the meeting.

IV. 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, 65 Day Ext. Granted, DRD 65-days from close PH).*

Director Burdick stated for the record that she received an additional public comment letter before the meeting from Donna Worthen and it will be marked as exhibit #160.

Chairman Wood opened the floor to public comment and stated that members of the public with presentations will go first. He additionally outlined the proceedings of the public comment portion of the hearing.

Joanne Kelley, 12 Thamesview Pentway, Gales Ferry, presenting as an expert, completed her presentation from the previous meeting.

Attorney Heller of Heller, Heller & McCoy, 736 Route 32, Uncasville, CT, representing the applicant, cross examined Joanne Kelley.

Chairman Wood warned the audience to maintain order during the hearing and that if there was a second outburst the meeting would be adjourned for the evening and resumed in December.

Director Burdick asked Attorney Heller to submit two photographs he referenced during his cross examination of Joanne Kelley for the record and to identify what they are in writing on the backs.

Attorney Heller submitted two photographs for the record. Ms. Burdick stated that they have been marked as exhibits #162-1 and 162-2 for the record.

Attorney Wilson Carroll of Cohen & Wolf, 1115 Broad St, Bridgeport CT, cross examined Joanne Kelley.

Eric Treaster, 10 Huntington Way, Ledyard, asked to defer giving his presentation until the next meeting to give other members of the public a chance to speak. Chairman Wood consented and deferred until the next meeting.

Director Burdick commented that Mr. Sauvageau's presentation had already been marked as exhibit #158 and that his previous public comment was marked #127. Brian Sauvageau, presenting as an expert, introduced himself and gave the first half of his presentation concerning radon.

Chairman Wood asked that for the sake of time if Mr. Sauvageau could finish his presentation at the next meeting. The Commission did not have any questions about the presentation at this time.

Attorney Heller cross examined Mr. Sauvageau on several points of the presentation. Attorney Heller submitted an academic study for the record and Director Burdick stated for the record it will be marked as exhibit #163. Attorney Heller continued his cross examination.

Director Burdick asked that the study that was referenced during the cross examination be submitted for the record. Attorney Heller gave the name of the study and stated he would submit a copy after the meeting. Chairman Wood asked if Attorney Carroll had any questions for Mr. Sauvageau. Attorney Carroll stated he did not. Mr. Sauvageau made a few closing statements to the Commission regarding his presentation.

Attorney Heller asked a few more questions to Mr. Sauvageau regarding his knowledge and expertise.

Mary Larson, 53 Harvard Terrace, Gales Ferry, made her public comment statement in opposition of the application. She submitted her written transcript for the record. Director Burdick stated that it will be marked as exhibit #164 for the record.

****10 MINUTE RECESS ****

Doug Kelley, 40 Pinelock Drive, Gales Ferry, member of the Ledyard Historic District Commission, gave his public comment statement in opposition of the application. He mentioned that the written transcript of his comment had already been marked as exhibit #56.

Commissioner Miello joined the meeting by zoom but was not seated as a voting member.

James Gauld, 13 Ledgewood Drive, Gales Ferry, made his public comment statement with his concerns for the application.

Diane Blonshine 34 Tanager Lane, Gales Ferry, gave her public comment statement with concerns and opposition against the application. Director Burdick marked Ms. Blonshine's written public comment statement as exhibit #165.

Markos Samos, 33 Robin Hood Drive, Gales Ferry, gave his public comment statement in opposition of the application.

Jim Kelley, 17 Winthrop Rd, Gales Ferry, gave his public comment statement in opposition

of the application.

Robin Franklin, 13 Kalmia Drive, Gales Ferry, gave her public comment statement with concerns and in opposition of the application.

Christopher Foster, 1102 Long Cove Rd, Gales ferry, gave his public comment statement with concerns and in opposition of the application. He handed his written transcript to Ms. Burdick who marked them as exhibit #167 for the record.

Laurel Eddings, 16 Old Quarry Rd, Gales Ferry, gave her public comment statement with concerns and in opposition of the application. She submitted for the record two written public comment statements from herself and from her daughter. Ms. Burdick marked these as exhibits #168 and #169 for the record

Kevin Blacker, 11 Church St, Noank, CT, gave his public comment statement. Director Burdick asked if Mr. Blacker had a written statement to submit for the record, he responded he did not.

Bruce Edwards, 30 Bluff Rd West, Gales Ferry, stated that he would like to defer his presentation to the next meeting. Chairman Wood asked if Mr. Edwards planned to submit his presentation for the record when he presents. Mr. Edwards said yes.

Tony Sheridan, representing the Chamber of Commerce of Eastern CT, gave his public comment statement in support of the application. Mr. Sheridan submitted his written transcript for the record, Elizabeth Burdick stated that it will be marked as exhibit #170 for the record.

RESULT: CONTINUE

MOVER: Marcelle Wood

AYE: 3 Wood, Ribe, and Harwood

EXCUSED: 2 Whitescarver, and Craig

- 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, 65 Day Ext. Granted, DRD 65-days from close PH).**

RESULT: CONTINUE

V. ADJOURNMENT

Chairman Wood stated that without objection the meeting is adjourned at 9:45 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.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-1130

Agenda Date: 1/9/2025

Agenda #: D.

MOTION to approve PZC Special Meeting Minutes of December 5, 2024



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1227

Agenda Date: 1/9/2025

Agenda #: E.

MINUTES

Minutes:

MOTION to approve PZC Special Meeting Minutes of December 12, 2024



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1223

Agenda Date: 1/9/2025

Agenda #: F.

MINUTES

Minutes:

MOTION to approve PZC Special Meeting Minutes of December 19, 2024



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-0582

Agenda Date: 8/8/2024

Agenda #: A.

REPORT

Staff/Committee Report:
Staff Reports



TOWN OF LEDYARD

Land Use Department

Alex Samalot

Zoning & Wetlands Official/Blight Enforcement Officer

741 Colonel Ledyard Highway, Ledyard, CT 06339

Phone: (860) 464-3216

zoning.official@ledyardct.org

Activity Report

June 13th—August 7th, 2024

1. SITE VISITS:

- 6/27/24 58 Christy Hill Road—Inspection unpermitted animal husbandry
- 11 Sunset Ave—Reinspection improper garbage storage
- 4 Sunset Ave—Reinspection improper garbage storage
- 44 Sable Drive—Inspection blighted marine vehicle storage
- 7/2/24 138 Whalehead Road—As-Built NSFH Site Walk
- 7/3/24 56 Whalehead Road—Inspection unpermitted site work
- 138 Whalehead Road—As-Built NSFH Site Walk
- Lantern Hill Boat Launch—Visit to discuss potential permitting
- 7/4/24 27 Thomas Road —As-Built NSFH Site Walk
- 45 Thomas Road—Reinspection ongoing MV repair case
- 7/9/24 56 Whalehead Road—Inspection unpermitted site work
- 7/17/24 109 Church Hill Road—Reinspection improper garbage storage
- 11 Royal Oaks Drive—Inspection abandoned MV
- 11 Sunset Ave—Reinspection improper garbage storage and uncut lawn
- 4 Sunset Ave—Reinspection improper garbage storage
- 11 Allyn Lane—Reinspection improper garbage storage
- 103 Inchcliffe Drive—Inspection blighted yard
- 33 Fanning Road—Reinspection blighted yard
- 7/23/24 11 Thames View Pentway—NSFH As-Built site inspection
- 7/24/24 121 Whalehead Road—Inspection for wetlands complaint
- 7/28/24 Avery Hill Preserve—Site visit to discuss potential permitting
- 7/29/24 388R Colonel Ledyard Hwy—NSFH As-Built site inspection
- 8/1/24 21 Tanager Lane—Request for bond release inspection
- 26 Lake Street—Reinspection improper garbage storage
- 44 Sable Drive—Reinspection blighted marine vehicle storage
- 8/5/24 121 Whalehead Road—Inspection for As of Right Inquiry
- 8/6/24 11 Hilltop Avenue—NSFH As-Built site inspection

ENFORCEMENT:

Update on Open Cases:

18 Crestview Drive—Ongoing Blight Case: Notice of Citation Assessment sent 5/9/23 and Right to Hearing sent 6/20/23 for blighted MVs; sent *Notice of Assessment For Violation Of Blight Ordinance* (10/17/23) by certified and first class mail; No violation by 3/25/24 inspection; various correspondence with Town Atty and Mayor including confirmation the \$3,000.00 fine has been paid to close out the matter; working with other municipal staff to process the fine —file closed.

1711 Route 12—Ongoing Blight Case (7/3/23 RVC and various correspondence, inspection, and progress): Correspondence with Atty Sabilia 7/16/24 & 8/7/24 and according to Ms. Sabilia there are inquiries about purchasing the property and she will be taking steps to help with tours soon; will continue to monitor.

1644 Route 12— Ongoing Blight Case with various correspondence: in an email sent 7/23/24 a co-owner stated that an agreement was signed with a real estate company to list the property; on 7/30/24 & 7/31/24 ZEO reached out to the real estate agent mentioned by the co-owner for details on the listing; no response by 8/7/24; will continue to monitor.

7 River Drive—Ongoing Blight Case (7/3/23 RVC with various inspections, progress and correspondence): Correspondence with Atty Sabilia 7/16/24 & 8/7/24 According to Ms. Sabilia, there is an investor making inquiries about the property, she is working on getting a decree that would allow for the sale of the property, and a potential closing in August; will continue to monitor.

884 Long Cove Road—Ongoing Expansion of Non-conforming Use/Junk MV case RVC sent 12/21/23 and various correspondence: 6/18/24 Mr. Stanavage (contractor in charge of clean up) came in to Land Use Office to collect blank zoning permit for new tenant and inspection same day significant progress which included a tour of the interior of the building; significant progress observed whenever passing through the area; will continue to monitor.

2 Winthrop Road—Ongoing Junk/Junk Marine Vessel/commercial equipment storage case NOV-IC sent 1/31/24 and various correspondence: in an email 8/5/24 the owners described current progress and next steps; will continue to monitor.

45 Thomas Road & 7 Fairway Drive—Ongoing case MV repair case (45 Thomas Road); No MV activity at 45 Thomas Road during 7/4/24 inspection which included a tour of the interior of the former garage, ZEO instructed Mr. Greer to remove remaining Junk to achieve compliance; Phone conversation 7/16/24 Mr. Greer stated he is collecting necessary permits (external to the existing Zoning Permit for the facility) for 7 Fairway Drive, Mr. Greer also stated he is working with Fire Marshal to meet related state and local requirements, this claim has not been confirmed; will reach out to agencies associated with these claims; will continue to monitor.

109 Church Hill Road —Ongoing Blight Case posted RVC on property 4/10/24: progress observed while driving through the area until observed garbage/discarded furniture in front yard by roadway 7/17/24; letter for full compliance sent 8/5/24; will continue to monitor.

11 Allyn Lane—Complaint 3/20/24 of Junk with various inspections and correspondence: continued progress observed during 07/17/24 inspection; will continue to monitor.

1 Mull Berry Drive—Ongoing Blight Case: Phone call 8/7/24, owner of the property stated he will provide contact information for the owner(s) of the vehicle and vessel on the property so they can arrange proper storage; will continue to monitor.

33 Fanning Road— RVC sent 4/11/24 for improper storage of garbage: some progress observed when passing through area; no garbage observed 7/17/24 and a fence was installed; file closed.

576 Lantern Hill Road—New complaint for Perkins Landscaping: received by Town Planner of North Stonington (mentioned in email to Ledyard Town Planner 7/17/24); Ledyard Town Planner responded same day with a request to have a meeting with North Stonington Town Planner; additional follow up from neighbor 8/1/24; will continue to monitor.

11 Sunset Ave—RVC sent 4/17/24 for improper storage of garbage: Consistent progress observed while passing through area. Conducted second drive by inspection 7/17/24 when remaining garbage had been removed, but lawn was not mowed. Follow up inspection 8/1/24 confirmed same conditions as 7/17/24; sent letter with instructions for full compliance 8/5/24; will continue to monitor.

4 Sunset Ave— RVC sent 4/17/24 for improper storage of garbage: consistent progress observed while passing through area. Conducted second drive by inspection 7/17/24 when remaining garbage had been reduced to one large broken television. Follow up inspection 8/1/24 confirmed same conditions as 7/17/24; sent letter with instructions for full compliance 8/5/24; will continue to monitor.

26 Lake Street—Complaint similar to Zoning Violation closed 10/5/24. Confirmed some Junk on the curb during drive by inspection 6/10/24 and when passing through the area; called owner 7/15/24 and provided number for bulk trash, owner stated they were going to call bulk trash that day; Reinspected 8/1/24 and previous Junk had been removed, but was replaced with new Junk; called owner 8/7/24 and the owner stated they were going to call bulk trash that day, and set up an inspection in 2 weeks; will continue to monitor.

Update on New Cases:

56 Whalehead Road—Drive by inspection 7/3/24 following, complaint of site work without permit, observed an excavator and signs of soil disturbance; spoke with both property owners the same day; additional complaint followed by site inspection 7/8/24 confirmed continued violation; drove by property on way to another site 7/10/24 and the excavator had been removed from the property; owner came in to Land Use Office 7/16/24 to fill out a driveway permit; will continue to monitor.

44 Sable Drive—Drive by inspection 6/27/24 confirmed a boat with no visible registration on the property; the boat had been covered and moved by 8/1/24 inspection; file closed; will reopen if permanent boat storage not achieved after allotted time.

58 Christy Hill Road—RVC sent to owner 7/24/24 following complaints of improper keeping of animals, confirmed on property 6/27/24; additional complaint received via voicemail 7/29/24; owner came in to Land Use Office with permit and provided a solution to the issue—file closed.

103 Inchcliffe Drive—RVC sent to owner 7/29/24 following complaints of a blighted yard and a drive by inspection 7/17/24; will continue to monitor.

Blight and Zoning Complaints:

- 26 Lake Street—Complaint improper garbage storage
- 58 Christy Hill Road—Complaints improper keeping of animals
- 11 Sunset Ave—Complaint improper garbage storage
- 44 Sable Drive—Complaint boat in yard
- 2 Bluff Road West—Complaint work without permit (No Violation)
- Royal Oaks Drive—Complaint abandoned Motor Vehicle
- 103 Inchcliffe Drive—Complaints blighted yard
- 56 Whalehead Road—Complaints unpermitted site work