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Land Use Department



TOWN OF LEDYARD

Department of Land Use and Planning

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MEMORANDUM FOR THE RECORD

APPLICATION #IWWC26-3SITE

REGULAR MEETING – TUESDAY, April 7, 2026

Prepared by Hannah Gienau, Zoning and Wetlands Official on 04/07/26

Agent/Applicant(s): Town of Ledyard (Applicant)

Property Owner(s): Avalonia Land Conservancy, Inc, 756 Colonel Ledyard HWY, Ledyard CT, 06339 & C.R Klewin LLC, 3 Johnny Cake Hill Rd, Old Lyme CT, 06371

Project Address: 25 Harvard Terrace (Map ID: 91/910/25), & 39 Military HWY (Map ID: 91/1590/39) Gales Ferry CT, 06339

Meeting Date: April 7, 2026

Date Received by IWWC: April 7, 2026

Legal: Date submitted 2/26/26, Date of Receipt 3/3/26, PH set for 4/7/26, PH must close by 5/11/26, DRD 35-days from close of PH.

Applicant/Owner Requests: Regulated Activities will include the removal of a beaver dam and heavy debris located at the inlet/northern property boundary and infrastructure maintenance work to an existing outlet structures at the southern property boundary to improve stormwater/drainage flow and maximize function.

Property Info:

Zone District: R-20

Lot Area: Total lot area of 25 Harvard Terrace is 5.45+/- acres (per Tax Assessor Records) and 18 +/- acres 39 Military Highway (per previous site plan submitted for previous IWWC applications unrelated to the current application are IWWC#24-9 (withdrawn) and IWWC#25-5SITE (denied without prejudice 8/5/25).

Total Wetlands: Total wetlands area of 25 Harvard Terrace-Per Town GIS, majority of the Site appears to consist of regulated areas (wetlands, watercourses, and upland review areas)

Public Water Supply Watershed: No.

Flood Hazard Zone: 25 Harvard Terrace is located Zone AE (FEMA FIRMID#0911C0362J) and 39 Military HWY is majority located in Zone AE and a small portion located on the southeastern portion of the property is Zone A (FEMA FIRMID#0911C0362J).

Regulated Activity Description:

Wetland Disturbance Area	+400 SF +/-
Upland Review Disturbance Area	0 SF +/- (Per applicant)

Staff Comments:

Please be advised the following comments with regard to my review of the Application and supporting documents including, a Hydrologic and Hydraulic Analysis of Road Crossing Culverts Tributary to Pine Swamp Brook, completed by CLA Engineers, Inc., dated 12/5/25, Save the Sound Road Stream Crossing and Wildlife Resilience: findings Report and Restoration Opportunities, and Dam Safety Program, Dam Inspection Report dated 12/18/24.

1.) Regulated Activities (Wetlands & Intermittent Watercourse):

- A.) Inlet (Northern portion of the Site):** According to the applicant, Regulated activities will include removal of an existing beaver dam that will require the use of a small track excavator that would be able to navigate the narrow berm. The Town would also have to remove brush and trees (several are already dead as indicated by the applicant). Removal of the brush and trees will clear an adequate path to reach the remnants of the rest of the beaver dam that as noted by the applicant has compromised flood capacity in the vicinity of Pine Swamp Brook that has caused water to back up onto RT 12 and affect several properties located on Christy Hill Rd.
- B.) Outlet (Southern portion of the Site):** According to the applicant, there are two outlet structures that allow Pine Swamp Brook to discharge. It can be noted previous activities were conducted in the wetlands as described in previous monthly wetlands reports, in which concrete was poured, and fill had been added by a resident after a blow down had been removed by DPW located along an earthen berm. The Applicant is proposing to remove the unpermitted structure along the berm which is approximately 15ft to 20ft in length. The town will conduct maintenance on the outlet structures themselves to ensure maximum function has been restored.

- 2.) Hydrologic and Hydraulic Study Analysis of Road Crossing Culverts Tributary to Pine Swamp Brook, dated December 15, 2025:** CLA Engineers had conducted a hydrologic study to analyze the culverts regulating Moulthrop Pond (Pine Swamp Brook) and three culverts upstream in order to investigate and determine hydrologic capacity. In summary, it was indicated that the current capacity of existing outlet structures are not a sufficient capacity. The culverts are classified as intermediate and should be capable of handling a 100-year-storm event. However, presently with insufficient capacity, overtopping during a 25-year storm event is increased. More overtopping events will lead to greater exposure to erosion and damage to the dam and roadway over time. This will increase the risk of the temporary measures used to reinforce the dam will fail which could lead to possible dam failure. Although dam failure would not result in loss of life based on its classification, "it would result in loss of direct access into band out of the neighborhood.

- 3.) Southeast Connecticut Road-Stream Crossing Assessment for Community and Wildlife Resilience: Findings Report and Restoration Opportunities:** A report completed by Save the Sound analyzed several known Road-Stream Crossings across Connecticut and notably assessed Pine Swamp Brook outlet conditions of both structures. Pine Swamp Brook as stated has two outlet structures which the study labeled as Structure #1 and Structure#2. Recommendations for the structures included refurbishing worn areas and relieving constriction of flow. DPW has since installed a metal grate over Structure#2 to improve flow.

- 4.) CTDEEP Dam Safety Program: DAM Inspection Report-Regulatory Inspection dated December 18, 2024:** A Dam Inspection Report dated 12/18/24 identifies the Pine Swamp Brook Pond Dam that is

registered with the state of Connecticut, Dam ID#7212. General description of the Dam describes Pine Swamp Brook as an earthen embankment with the local road Harvard Terrace. The Dam was classified as "A" which indicates, low hazard potential if were to fail, would result in damage to agricultural land, damage to unimproved roadways, and minimal economic loss (according to DEEP's assessment guide). In addition, the Dam had an Overall Condition rating of Poor, indicating, after review of file research and visual inspection, deficiencies are recognized and require engineering analysis/remedial action.

Commission Actions:

- The Commission will need to:
 1. Deliberate & make a decision regarding the Application.

Staff Recommendations: Approve with Conditions.

CONSIDERATIONS FOR ACTION:

If the Commission is inclined to approve this application, the following Motion is suggested:

MOTION#1 (A Motion to Approve)

- After giving due consideration to all relevant factors, including those in Section 4 of the Ledyard Inland Wetland and Watercourse Regulations and Section 22a-40 of the Connecticut General Statutes, I move that IWWC#26-3SITE 25 Harvard Terrace & 39 Military Highway, Gales Ferry CT - Applicant, Town of Ledyard – Owners, Avalonia Land Conservancy and C.R. Klewin, LLC is for regulated activities associated with the removal of a beaver dam and maintenance to existing outlet structures.

1. Work shall be conducted only during late summer and early fall and under dry conditions. Should conditions of the site require, soil erosion and sediment controls shall be installed as needed.

as determined by four officers and director of public works

2.) T

- **If the Commission is inclined to deny the Application, it shall state their reasons on the record.**