



Chairman Tony Capon

**TOWN OF LEDYARD**  
**CONNECTICUT**  
**PLANNING & ZONING COMMISSION**  
**PUBLIC HEARING & REGULAR MEETING**  
**DRAFT MEETING MINUTES**  
**THURSDAY, JUNE 9, 2022**

**1. CALL TO ORDER**

Chairman Tony Capon called the Public Hearing and Regular Planning & Zoning Commission Meeting of the Town of Ledyard to order on Thursday, June 9, 2022, at 7:00 PM, in person in the Town Council Chambers Annex and via Zoom.

**Present:** Chairman Tony Capon, Regular Commission Members Marty Wood, Thomas Baudro, and Paul Whitescarver and Alternate Commission Members James Awrach, Howard Craig, and Gary St. Vil.

**Absent/ Excused:** Vice-Chairman M. Katie Scanlon and Tim Ryan- Town Council Liaison.

**Staff Present:** Juliet Hodge, Planning Director, and Katrina Aligata, Land Use Office Assistant.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL & APPOINTMENTS OF ALTERNATES**

Alternate Commission Member James Awrach was appointed as a voting member for the Public Hearing and the Regular Meeting.

**4. CITIZENS PETITIONS (NON-AGENDA ITEM ONLY)**

Eric Treaster, 10 Huntington Way- Spoke to the Commission regarding concerns he has about allowing detached accessory dwelling units by right on single-family residential neighborhoods. He advised the Commission to hold a Public Hearing to discuss opting out of PA#21-29. He handed out an example of accessory dwelling units existing in neighborhoods around Ledyard.

Mike Cherry, 5 Wipperwill Drive- Mr. Cherry made the Commission aware of an article in the CT Examiner about people moving into Eastern Connecticut towns, and how the influx of newer residents is impacting the towns and the economy.

**5. APPROVAL OF ADDITIONS TO AND/OR CHANGES TO THE ORDER OF THE AGENDA:** There were no changes made to the agenda.

**6. PRE-APPLICATION DISCUSSION AND/OR WORKSHOP:** None

**7. PUBLIC HEARINGS/ APPLICATIONS**

**A. PUBLIC HEARING: Application PZ#22-4 ReSub, 123 Whalehead Rd., Gales Ferry, CT 06335,** Owner: Mark Coen, 5 Library Lane Gales Ferry, CT Applicant: Peter Gardner, Dieter & Gardner, Inc., 1641 Route 12, Gales Ferry, CT/. for a 4 Lot Re-Subdivision under the CGS 8-30g. Cont'd from 5/12/2022.

Peter Gardner presented the re-subdivision plans for the owner. He stated that revisions were made to the original site plans based on the Planner's comments. LLHD commented on the fact that septic tanks were not shown and that they would have to fit within the 75ft well radius. Ms. Hodge presented her findings to the Commission. She advised Mr. Gardner that a condition of approval would be the requirement of the developer to notify the Zoning/ Land Use Department and the Town of any change of Administrator of the Affordability Plan.

Chairman Capon asked if there were any comments or questions from the Commission or public.

Mike Cherry, 5 Wipporwill Dr- Mr. Cherry also commented on the lack of septic tanks shown on the drawings. He asked which lots would be affordable out of the proposed 4 lots. Said lots would be affordable for 40 years.

Chairman Capon asked if there were more comments or questions from the Commission or public. Hearing none the Public Hearing was closed at 7:24pm.

**Discussion & Decision: Public Hearing: Application PZ#22-4ReSub, 123 Whalehead Rd., Gales Ferry, CT 06335,** Owner: Mark Coen, 5 Library Lane, Gales Ferry, CT, Applicant: Peter Gardner, Dieter & Gardner, Inc., 1641 Route 12, Gales Ferry, CT, for a 4 Lot Re-Subdivision under the CGS 8-30g. Cont'd from 5/12/2022.

The Commission members offered no further comments.

Ms. Hodge provided a motion for the Commission to consider that contained conditions. She read the proposed Motion into record as follows:

**Motion to approve application PZ#22-4ReSub for a 4-lot re-subdivision under CGS 8-30g of property located at 123 Whalehead Rd., Gales Ferry, CT and owner by Mark Coen with the following conditions:**

1. Draft language for all shared driveway maintenance agreements and Utility Access/ Easements in accordance with Section 5.5 of the Subdivision Regulations, as well as any required bonding shall be provided and approved prior to the filing of the Mylars.
2. Prior to the sale of any individual deed-restricted home, a copy of the draft deed shall be provided to the Zoning Enforcement Official to verify that the appropriate language has been inserted per the Affordability Plan.

3. All typos in Affordability Plan modified to include a provision that the Town's Zoning Enforcement Officer shall be notified of any change in Administrator within 30-days of said change. This notification is in addition to all required notifications and/or reports described in the Affordability Plan. Affordability Plan must be approved by the Town Attorney and signed by all parties prior to the filing of the Mylars.
4. Zoning Compliance chart shall be corrected to reflect the proposed new building setback distances for each lot.
5. A site erosion & sediment control bond estimate shall be submitted for review & approval by the Town Engineer. Bonding shall be required for monumentation.

**Commissioner Wood made the motion and Commissioner Whitescarver seconded. Motion Passed.**

**RESULT:** Carried Unanimously 5-0

**MOVER:** Commissioner Marty Wood

**SECONDER:** Commissioner Paul Whitescarver

**AYES:** Chairman Tony Capon, Commissioner Thomas Baudro, Commissioner Marty Wood, Commissioner Paul Whitescarver, and Voting Alternate Member James Awrach,

## **8. OLD BUSINESS**

- A. Application PZ#22-3RA** of the Ledyard Planning and Zoning Commission, to consider an amendment to replace existing Zoning Regulations, Section 8.1 Accessory Dwelling Unit with the proposed regulation amendments.

Chairman Capon noted that the application is being withdrawn.

- B. Application PZ#22-5RA** of the Ledyard Planning and Zoning Commission, to consider comprehensive revisions to all sections of the Zoning Regulations.

Chairman Capon noted that the application is being withdrawn.

## **9. NEW BUSINESS**

- A. Application PZ#22-6RA** of the Ledyard Planning and Zoning Commission, to consider an amendment to replace the existing Zoning Regulations, Section 8.1 Accessory Dwelling Unit with the proposed regulation amendments.

Chairman Capon set the Public Hearing for the application for a Special Meeting at 6pm before the regular meeting on July 14, 2022.

- B. Application PZ#22-7RA** of the Ledyard Planning and Zoning Commission, to consider comprehensive revisions to all sections of the Zoning Regulations.

Chairman Capon set the Public Hearing for the application during the July 14, 2022 Regular Meeting at 7pm or following the Special Meeting.

**C. Application PZ#22-8SUB** of Mr. G. 1 LLC, 55 Trumbull Road, Waterford CT, for a 24 Lot Open Space Subdivision located at 79 Vinegar Hill Road. (MBL 94-2540-79). Harry Heller and Peter Gardner attended the meeting to present to the Commission for the 24 Lot Open Space Subdivision. The application from 2018 is identical except the catch basin was moved to a different location in the site plans. This new plan provides open space land and a strip of land for the future widening of the road. A Public Hearing is discretionary but not mandatory. Ms. Hodge indicated some issues she came across review the site plans when they were submitted. Lots 24-26 violates the stacking or nesting regulations. The legal issues need to be resolved before the Public Hearing is set. The attorneys will hold a meeting to resolve any and all issues raised.

**D. Application PZ#22-9RA** of Robert Barnett, 51 Church Hill Rd., Ledyard, CT for an amendment to Section 8.28 (Short Term Rentals) of the current Zoning Regulations.

Robert Barnett attended the meeting to answer/ ask questions. Chairman Capon pointed out that the Public Hearing would be held to discuss the proposed language only, not the "Alternate" language provided as well. Chairman Capon set the Public Hearing for August 11, 2022.

#### **10. APPROVAL OF MINUTES OF PREVIOUS MEETING**

**A. Without objection, Chairman Capon accepted the minutes of the Regular Meeting of May 12, 2022 as submitted.**

#### **11. CORRESPONDENCE**

- A.** Katie Scanlon emailed her Notice of Resignation. Her last meeting will be July 14, 2022.
- B.** Articles from SCCOG were added in the Commission's packets to review. There is new information that would be helpful and insightful for the Commission Members. The cap on number of licenses for cannabis stores/ shops has been removed.

#### **12. REPORTS**

- A.** Town Planner Report: Ms. Hodge presented her report to the Commission.
- B.** Zoning Official Report: Ms. Hodge briefly presented the Zoning Official's report to the Commission. The members were provided with a copy of the report.
- C.** Any Other Reports: None

**13. ADJOURNMENT: Without exception, the Meeting of June 9, 2022 was adjourned at 8:16 pm.**

**Respectfully Submitted,**

**Katrina Aligata**  
**For the Commission**