



# TOWN OF LEDYARD

## Planning & Zoning Commission

### Meeting Minutes

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

Chairman  
Tony Capon

#### Regular Meeting

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Thursday, January 12, 2023

7:00 PM

Council Chambers - Hybrid Format

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I. CALL TO ORDER

Chairman Capon called the Regular Meeting of the PZC to order at 7:00 PM. The meeting was hybrid with some attending in person and others via Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL APPOINTMENT OF ALTERNATES

Staff present: Makenna Perry, Land Use Administrative Asst. and Roxanne Maher, Town Council Administrative Asst.

**Present** Commissioner Marcelle Wood  
Chairman Tony Capon  
Commissioner Paul Whitescarver  
Commissioner James Awrach  
Commissioner Gary St. Vil

**Excused** Alternate Member Thomas Baudro  
Commissioner Howard Craig

**Non-voting** Alternate Member Jessica Cobb

Alternate Member Gary St. Vil was seated as a Regular Voting Member in place of Howard Craig for this meeting.

IV. CITIZENS PETITIONS (LIMITED TO NON-AGENDA ITEMS)

None.

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

None. All attachments and exhibits have been received and made part of the record.

VI. PRE APPLICATION OR WORKSHOP

None.

VII. PUBLIC HEARINGS/APPLICATIONS

## VIII. OLD BUSINESS

- A. Application PZ#22-18SUB of Avery Brook Homes, LLC - WITHDRAWN BY APPLICANT ON 1/5/2023

No Action to the Planning & Zoning Commission.

**RESULT: NO ACTION**

Avery Brook Homes LLC - Withdrawn by Applicant

## IX. NEW BUSINESS

- A. Application #PZ22-20RA to revise section 3.9(A) uses subject to a Moratorium, Cannabis Establishments; Section 5.4.1 (open space / conservation subdivision) and 7.5 (interior lots).

**Chairman Capon opened the Public Hearing at 7:03 PM.**

Chairman Capon presented the application on behalf of the Town of Ledyard. He referred to the submitted narrative which identified the changes to this application. Changes included:

- **3.9(A)** to extend the moratorium in order to give the Commission more time to draft regulations.
- **5.4.1C(1)(a & b)**, examining the difference between conservation subdivisions and open space subdivisions and how the goal is to encourage developers to use open space subdivisions.
- **5.4.1C(3)**, the requirement to use public or community water system was deemed too strict forcing larger lot sizes to keep the density below 2 lots per acre.
- **5.4.1D (3)(b)**, to clarify the stacking prohibitions since the town now has a designated number of special interior lots.
- **7.4B(1)(b)**, a one word change, adding the word “*also*”.
- **7.4B(5)**, combines a repetitive section found in 7.4C(4) to clarify that the water loading requirements apply to both regular and shared driveways.
- **7.4C(1)**, removal of the words 'in any subdivision' because these requirements pertain to shared driveways in general, not just those proposed during subdivision approval, also replacing section C(4) which requires that common driveways not serve as connecting driveways between two public streets and must contain an access strip with a minimum width of 30 ft.
- **7.5A(1)(a)**, contained a typo, it should say 30ft.

**Eric Treaster, 10 Huntington Way**, questioned the requirements of the paved driveways mentioned in the application. He asked if the driveways can be interpreted as requiring a private driveway in a single lot to be paved versus stone.

Chairman Capon explained that it does not matter the material of the driveway.

**Mike Cherry, 5 Whipple Whirl Drive**, was in approval of the moratorium extension. He noted that the Commission has extensive work to do in deciding Cannabis regulations.

**Without objection, Chairman Capon closed the Public Hearing at 7:14 PM.**

**After considering all relevant factors, the Commission moved on the following;**

**MOTION to approve Application #PZ22-20RA for proposed amendments to Sections 3.9(A); 5.41C(1)(a &b); 5.4.1D(3)(b); 7.4 and 7.5A(1)(a) of the Zoning Regulations as presented effective January 31, 2023.**

**Moved by Commissioner Whitescarver, seconded by Commissioner Wood. Motion passed unanimously.**

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Paul Whitescarver

**SECONDER:** Marcelle Wood

**AYE:** 5 Wood, Capon, Whitescarver, Awrach, and St. Vil

**EXCUSED:** 2 Baudro, and Craig

X. APPROVAL OF MINUTES

A. Approval of December 8, 2022 Minutes

Without objection, the minutes of the December 8, 2022 meeting were approved as submitted.

XI. CORRESPONDENCE

A. STR Suggested Regulations - Eric Treaster

The Commission will discuss Short Term Rentals (STR's) at the February 2023 meeting when Planning Director, Juliet Hodge, is present.

B. Ledyard Agricultural Commission Memorandum

Chairman Capon explained that the Agricultural Commission will hold a joint meeting on March 23, 2023 at 6:00 PM for interested parties. He explained that two members of the PZC should attend, along with himself and Planning Director, Juliet Hodge.

C. Connecticut Land Use Law for Municipal Land Use Agencies, Boards, and Commissions - CBA Education and Training

Chairman Capon stated that the Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions is hosting a webinar in March of this year. Chairman Capon explained that professional training is required for Commission members every two years. This webinar will satisfy that requirement.

XII. REPORTS

A. Staff Reports

Chairman Capon stated that John Herring, ZEO, retired at the end of December. He explained that the Land Use Department is understaffed as they have not been able to fulfill the ZEO position. Chairman Capon identified that because of this vacancy, there are complaints and violations that have not been inspected.

Commissioner Cobb asked about the ZEO training and where it was offered.

Mike Cherry explained that the training is conducted through Connecticut Association of Zoning Enforcement Officials (CAZEO) website and consists of testing and case studies.

Commissioner Whitescarver explained that Southeastern Connecticut Council of Governments (SCCOG) also discussed difficulties filling vacancies and that other towns are having the same issues.

Commissioner St. Vil asked if there were any third party suppliers for ZEO's.

Chairman Capon explained that every town's regulations are different so it can be challenging to go through a third party supplier.

Commissioner Whitescarver expressed his frustration that Southeastern Connecticut Enterprise Region (seCTer) is not being more vigilant about excess vacancies in positions like ZEO.

Commissioner St. Vil questioned if there was a way to influence the ZEO salary.

Chairman Capon answered that through the Mayor and the Chairman of The Council it can be influenced.

Mike Cherry stated that the salary is a Union problem.

Commissioner Cobb asked about Ledyard's application fees and if they were similar to surrounding towns application fees.

Mike Cherry answered that the pricing is comparable to other towns.

XIII. ADJOURNMENT

Without objection, Chairman Capon adjourned the meeting at 7:36 PM.

Respectfully submitted,

\_\_\_\_\_  
Marty Wood, Secretary

\_\_\_\_\_  
Date

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