



TOWN OF LEDYARD

Planning & Zoning Commission

Meeting Minutes - Final

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Chairman Marty
Wood

Special Meeting

Thursday, December 5, 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/83688709127?pwd=Tn8Z7fCtHxAuCwyWtyrzUtyufV8GQC.1>

Meeting ID: 836 8870 9127 Passcode: 760198

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

I. CALL TO ORDER

Chairman Wood called the meeting to order at 6:00 p.m. in the Ledyard Middle School Auditorium and on Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL AND APPOINTMENT OF ALTERNATES

Present Chairman Marcelle Wood
 Secretary Howard Craig
 Alternate Member Matthew Miello
 Commissioner Beth E. Ribe
 Alternate Member James Harwood
Recused Vice Chair Paul Whitescarver

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 stated for the record that Commissioner Miello is seated for Commissioner Whitescarver who is recused, and Commissioner Ribe and Commissioner Harwood are seated for the vacant seats.

Chairman Wood outlined the proceedings of the meeting and guidelines of behavior. He stated that the meeting will go until 10:30pm to provide more time for public comment statements.

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, PH Cont. to 11/14/24, PH Cont. to 11/21/24, 65 Day Ext. Granted, DRD 65-days from close PH).*

Chairman Wood stated for the record that all present Commissioners are voting members on this application. Commissioner Harwood stated for the record that he has reviewed all videos and read all exhibits related to the application.

Director Burdick stated that if any public comments were submitted to the office after 12:00 p.m they have not been incorporated into the record yet but will be added the following Monday.

Chairman Wood stated that public comments will be taken in the order they are presented on the comprehensive sign up sheet. He called Mr. Eric Treaster to begin his public comment.

Mr. Treaster read his public comment narrative script into the record marked as exhibit #204. The Commission stated they had no questions at this time. Attorney Heller of Heller, Heller & McCoy cross examined Mr. Treaster on specific items in his presentation. The discussed regulation interpretation and language.

Attorney Wilson Carroll of Cohen & Wolf, 1115 Broad St, Bridgeport, CT, interrupted the cross examination and made arguments for why the nature of the cross examination was inappropriate as Mr. Treaster is a lay member of the public and not an expert. He asked that for the sake of time the cross examination be ended so that other members of the public have a chance to speak. He asked for input from Land Use Attorney, Matthew Willis, representative of the Town of Ledyard. Attorney Heller made arguments as to how and why Mr. Treaster had qualified himself as an expert.

Attorney Willis stated that Mr. Heller has the right to cross examine Mr. Treaster, but that Attorney Carroll is also correct in that the cross examination is not allowing for enough time for other members of the public.

The audience began to outburst. Chairman Wood laid out the rules of conduct for the public hearing. The Commission agreed to conclude the cross examination. Director Burdick stated for the record Mr. Treaster's presentation script will be marked as exhibit #204 for the record.

Chairman Wood stated for the record that the Commission will consider all other public comments this evening as non-expert statements.

Chairman Wood called for Dave Denoia. Dave Denoia did not come forward or identify his presence in the audience.

Chairman Wood called for the joint public comment statements from Laura Palmese, 52 Military Highway, Gales Ferry and Chris La Casse, 10 Mulberry Drive, Gales Ferry. Chris La Casse made his public comment statement first in opposition of the application. He spoke specifically about potential impacts to veterans in the area. Laura Palmese made her public comment statement next in opposition of the application specifically concerning potential impacts on veterans in the area as well as health concerns.

Chairman Wood asked that Ms. Palmese submit her cited sources for the record. Chairman Wood asked Ms. Palmese to clarify specific data used in the resources she provided. She stated that she is not an expert but she can find the information and put it on the record for the Commission. Ms. Palmese submitted her documents to staff. Director Burdick stated for the record that they will be marked as exhibits #205-1, #205-2, #205-3, #205-4 for the record.

Attorney Heller asked Ms. Palmese if thunder invokes PTSD responses. Ms. Palmese stated that it can in some individuals. Attorney Carroll stated he had no questions for Ms. Palmese.

Chairman Wood called for Kevin Davis. Kevin Davis, 7 Ramblewood Drive, Gales Ferry, gave his public comment statement in opposition of the application. Mr. Davis submitted his transcript for the record, Director Burdick stated that it will be marked as exhibit #206 for the record.

Chairman Wood called for Bruce Edwards. Bruce Edwards, 30 Bluff Rd W, Gales Ferry, present in the audience, stated that he would like to defer his statement again to the next public hearing as his presentation is not complete.

Chairman Wood called for Arlene Allard. Arlene Allard did not come forward or identify her presence in the audience.

Chairman Wood called for Elizabeth Arnold. Elisabeth Arnold did not come forward or identify her presence in the audience. The Commission asked if any of the called residents were present on Zoom. Staff identified that they were not.

Chairman Wood called for Peter Gardner of Dieter & Gardner. Director Burdick stated that Mr. Gardner had already informed staff that he would not be present this evening and to defer his public comment statement to the next meeting.

Chairman Wood called for Melissa Sperry. Melissa Sperry did not come forward or identify her presence in the audience.

Chairman Wood called for Elanor Murrery. Elanor Murray, 26 Devonshire Drive, Gales Ferry, gave her public comment statement in opposition of the application.

Chairman Wood called for Jolie Isenburg. Jolie Isenburg, 29 Chapman Lane, Gales Ferry, stated she would like to be deferred to the next scheduled hearing. Chairman Wood deferred her public comment.

Chairman Wood called for William Thorne. William Thorne did not come forward or identify his presence in the audience.

Chairman Wood called for Yvette Dionne. Yvette Dionne did not come forward or identify her presence in the audience.

Chairman Wood called for Nate Weiss. Nate Weiss did not come forward or identify his presence in the audience.

Chairman Wood called for Steven Trinkaus. Ms. Lee Ann Berry confirmed from the audience that he is absent from the meeting.

Chairman Wood called for John Fuller. John Fuller of Full Power Radio, WBMW, 758 Colonel Ledyard Highway, Ledyard, made his public comment statement in favor of the application and shared his perspective. He submitted his written statement for the record. Director Burdick stated for the record Mr. Fuller's letter will be marked as exhibit #207.

Chairman Wood called for Catherine Marshall. Catherine Marshall, 66 Partridge Hollow Rd, Gales Ferry, gave her public comment in opposition of the application. She submitted her written statement to staff. Director Burdick stated for the record that Ms. Marshall's letter would be marked as exhibit #208.

Chairman Wood called for Joel Larose. Joel Larose, 2 Oak Hills Trail, Ledyard, gave his public comment statement in opposition of the application.

Chairman Wood called for Nate Woody. Nate Woody did not come forward or identify his presence in the audience.

Chairman Wood called for Ann Barry Finnegan. Ms. Finnegan, 53 Hurlbutt Rd, Gales Ferry, gave her public comment statement in opposition of the application.

Chairman Wood stated that the Commission will take an 11 minute break.

**** 11 MINUTE RECESS ****

Chairman Wood called for Daryl Conner. Daryl Conner did not come forward or identify his presence in the audience.

Chairman Wood called for Gabe Stern. Gabe Stern stated from the audience that his public comment had been deferred until the next scheduled hearing.

Chairman Wood called for Bob Chester. Bob Chester did not come forward or identify his presence in the audience.

Chairman Wood called for Mike Cherry. Mike Cherry, 5 Whippoorwill Drive, Gales Ferry, gave his public comment statement and spoke specifically about 3 to 1 slopes regarding the regulations.

Chairman Wood called for Deborah Edwards. Deborah Edwards, 30 Bluff Rd W, Gales Ferry, stated that she had spoken with staff to defer her public comment statement to the next hearing as she has temporarily lost her voice due to illness.

Chairman Wood called for Diane Buttermore. Diane Buttermore did not come forward or identify her presence in the audience.

Chairman Wood called for Scott McGregor. Scott McGregor, 22 Winthrop Rd, Gales Ferry, gave his public comment statement in opposition of the application.

Chairman Wood called for Angela Cassidy. Angela Cassidy stated that her presentation slides were not complete for this evening and asked to defer. Attorney Heller, staff and the Commission discussed if it would be appropriate to keep putting off public comments for the sake of time. Angela Cassidy said that she will give her public comment and will submit her presentation slides after they are completed. She gave her public presentation.

Director Burdick and Ms. Cassidy confirmed that the letter she read had already been submitted for the record and is marked as exhibit #117.

Chairman Wood called for Dave Shroeder. Dave Shroeder, 290 Whalehead Rd, Gales Ferry, gave his public comment in opposition of the application. Director Burdick stated that Mr. Shoeder's written statement will be marked as exhibit #209 for the record.

Chairman Wood called for Thomas Thomas. Mr. Thomas, 14 Anderson Drive, Gales Ferry, gave his public comment presentation in opposition of the application marked as exhibit #203.

Chairman Wood called for Elizabeth Larose. Ms. Larose Oak Hills Trail, Ledyard, gave her public comment statement in opposition of the application.

Chairman Wood called for Anne Roberts Pierson. Ms. Pierson, 4 Anderson Drive, Gales Ferry, gave her public comment in opposition of the application which had been marked as exhibit #143-2. She submitted her written statement for the record and Director Burdick stated that it will be marked as exhibit #210.

Chairman Wood called for Craig Mateyov. Mr. Mateyov, 7 Harvard Terrace, Gales Ferry,

gave his public comment statement in opposition of the application.

Chairman Wood called for Brian Sauvageau. Staff, the Commission and Mr. Sauvageau discussed if he would have enough time to complete his presentation this evening. They agreed that because the meeting would be going to 10:30pm he could present. Brian Sauvageau, 187 Iron St, Ledyard, completed his public comment presentation that has previously been marked as exhibit #158.

RESULT: CONTINUE

MOVER: Howard Craig

SECONDER: Beth E. Ribe

AYE: 5 Wood, Craig, Miello, Ribe, and Harwood

RECUSED: 1 Whitescarver

- 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, PH Cont. to 11/14/24, PH Cont. to 11/21/24, 65 Day Ext. Granted, DRD 65-days from close PH).**

RESULT: CONTINUE

AYE: 5 Wood, Craig, Miello, Ribe, and Harwood

RECUSED: 1 Whitescarver

V. ADJOURNMENT

Commissioner Craig moved the meeting be adjourned, seconded Commissioner Harwood

The meeting adjourned at 10:30 p.m.

VOTE: 5-0 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.