



Chairman Justin DeBrodt

TOWN OF LEDYARD CONNECTICUT

INLAND WETLAND & WATER COURSES COMMISSION

741 Colonel Ledyard Highway

Ledyard, Connecticut 06339

HYBRID FORMAT
REGULAR MEETING

~ MINUTES ~

Tuesday, February 4, 2025

7:00 PM

Council Chambers, Town Hall Annex

- I. CALL TO ORDER – Chairman DeBrodt called the meeting to order at 7:00 p.m. in the Council Chambers, Town Hall Annex Building.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL APPOINTMENT OF ALTERNATES

Present: Chairman, Justin DeBrodt
Vice Chairman, Beth E. Ribe
Commissioner, Michael Marelli
Commissioner, Daniel Pealer
Alternate Member, Robert Graham
Alternate Member, James Thompson

In addition, the following were present:

Director of Land Use & Planning, Elizabeth Burdick
Land Use Attorney, Robert Avena
Zoning & Wetland Enforcement Official, Hannah Gienau
Land Use Assistant, Anna Wynn

Chairman DeBrodt stated that Alternate member James Thompson would be seated for the vacant seat left by former Commissioner Lynmarie Thompson.

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

None.

- V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY – LIMIT 3 MINUTES)

Bruce Garstka, 10 Pleasant View, Ledyard, asked the Commission if there are areas within a parcel that are considered by right or non-regulated by the Wetlands Commission. Director Burdick stated that in the Wetlands Regulations there are areas that are exempt. She referenced the Ledyard Wetlands Regulations that describe as of right and non-regulated activities. She stated that however, the IWWC would still need to decide if that activity is classified as an as of right or non-regulated activity. She described the As of Right Determination process. She stated that the current public hearing on the Wetlands regulations do not change the exemptions.

Mr. Garstka asked if activities such as hay fields near brooks would be affected. Director Burdick stated no and that would be going back to the As of Right Determination process. She stated that any member of the public can come into the office and staff will assist them.

VI. PRE-APPLICATIONS DISCUSSION OR WORKSHOP

None.

VII. PUBLIC HEARING/ APPLICATIONS

A. IWWC#24-10RA - Proposed Text Amendments to Inland Wetlands and Watercourses Regulations Sections 2.1, 7.5.b, 7.6.1, 7.8, 7.9, 11.6, 19.b, & 20 - Applicant, Ledyard Inland Wetlands & Watercourses Commission, Justin DeBrodt, Chairman, (Date of Receipt 9/3/24, PH opened 11/12/24, PH Cont. to 12/3/24, PH Cont. to 1/7/25, PH Cont. 2/4/25, PH must close by N/A, DRD N/A).

Chairman DeBrodt reopened the public hearing on application IWWC#24-10RA. Attorney Avena of Suisman & Shapiro, 75 State Street, New London, CT, and the Commission reviewed exhibit #8 which compares the proposed language and accepted changes.

Director Burdick commented that the copy of exhibit #8 that the Commission has is errored and the yellow highlighted section that states “The IWWC may rule that any other activity located within such upland review area or in any other non-wetland or non-watercourse area is likely to impact of affect wetlands or watercourses and is a regulated activity” should be struck through. She stated that the correct version is posted online. They continued to review the document.

Chairman DeBrodt and Attorney Avena clarified that the wording of the accepted change for Section 2.1 suggests that there may be other activities not explicitly listed that the Wetlands Commission may want to review or regulate due to their impact on the wetlands. Vice Chair Ribe commented that it might be topographically important for the applicant to come in front of the wetlands Commission due to drainage issues even outside that 100 ft upland review area.

Commissioner Pealer and Attorney Avena clarified that the modified language is optional and is not strictly required and is contingent upon the individual application. Chairman DeBrodt asked if the public wished to speak to the application while the public hearing was still in progress. No one came forward to comment.

MOTION to close the public hearing for application IWWC#10RA

RESULT: 5-0 PUBLIC HEARING CLOSED

MOVER: Ribe

SECONDER: Pealer

AYES: DeBrodt, Ribe, Pealer, Marelli, Thompson

NON-VOTING: 1 Graham

B. Discussion & Decision: IWWC24-10RA - Proposed Text Amendments to Inland Wetlands and Watercourses Regulations Sections 2.1, 7.5.b, 7.6.1, 7.8, 7.9, 11.6, 19.b, & 20 - Applicant, Ledyard Inland Wetlands & Watercourses Commission, Justin DeBrodt, Chairman, (Date of Receipt 9/3/24, PH opened 11/12/24, PH Cont. to 12/3/24, PH Cont. to 1/7/25, PH Cont. 2/4/25. PH Closed 2/4/25, DRD 2/4/25).

Chairman called for any additional discussion on application IWWC#24-10RA. Each member responded no. Director Burdick stated that staff put together a suggested motion for favorable approval at the end of her memo. She stated that if the Commission votes against the application, they must explicitly state their reasons for denial.

Chairman DeBrodt asked if Ms. Burdick ever received a response from DEEP. Ms. Burdick responded no and that she believed the department was severely understaffed but that the application was submitted to them within legally required timelines.

Vice Chair Ribe made a MOTION to APPROVE Application IWWC #24-10RA of the Ledyard Inland Wetlands and Watercourses Commission for proposed amendments to the Ledyard Inland Wetlands and Watercourses Regulations, dated January 25, 2021 marked as application Exhibit #8 in accordance with recent CT case law and State of CT DEEP Inland Wetlands and Watercourses Model Municipal Regulations Fourth Edition May 1, 2006 with an effective date of February 25, 2025

RESULT: 5-0 APPROVED AND SO DECLARED

MOVER: Ribe

SECONDER: Marelli

AYES: DeBrodt, Ribe, Pealer, Marelli, Thompson

NON-VOTING: 1 Graham

VIII. OLD BUSINESS

None.

IX. NEW BUSINESS

None.

X. APPROVAL OF MINUTES

A. MOTION to approve IWWC Regular Meeting Minutes of January 7, 2025

Commissioner Pealer noted on the top of page 4 there is a typo of the number 3 instead of 2 regarding non-voting members. There were no more comments.

MOTION to approve as amended the IWWC Regular Meeting Minutes of January 7, 2025

RESULT: 5-0 APPROVED AS AMENDED

MOVER: Thompson

SECONDER: Pealer

AYES: DeBrodt, Ribe, Pealer, Marelli, Thompson

NON-VOTING: 1 Graham

XI. CORRESPONDENCE

None.

XII. REPORTS

A. Staff Reports- Designated Agent/WEO

Zoning Enforcement Official, Hannah Gienau, reviewed her February Staff Report with the Commission and described several ongoing cases. Director Burdick commented on one on going issue with a fire pond on Long Cove Rd. The Commission asked for an update at the next meeting.

Staff and the Commission briefly discussed upcoming training for Commissioners.

XIII. ADJOURNMENT

MOTION to adjourn the IWWC Regular Meeting of February 4, 2025

RESULT: ADJOURNED

MOVER: Pealer

SECONDER: Ribe

AYES: 5 DeBrodt, Marelli, Pealer, Ribe, Thompson

NON-VOTING: 1 Graham

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Chairman Justin DeBrodt
Inland Wetlands & Watercourses Commission