



# TOWN OF LEDYARD

## Planning & Zoning Commission

### Meeting Minutes - Final

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

Chairman Marty  
Wood

#### Special Meeting

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Thursday, November 14, 2024

6:00 PM

Ledyard High School - 24 Gallup Hill  
Rd, Ledyard, CT 06339

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#### REMOTE MEETING INFORMATION

#### Join Zoom Meeting

<https://us06web.zoom.us/j/89730385202?pwd=V9eGHREQ8G3XraEzPHk25DgxiyAAMe.1>

**Meeting ID: 897 3038 5202      Passcode: 631635**

**Dial by Location: +1 646 558 8656 US (New York)**

#### I. CALL TO ORDER

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

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL AND APPOINTMENT OF ALTERNATES

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

In addition, the following were present:

Director of Land Use & Planning, Elizabeth Burdick  
Alternate Town Attorney, Matthew Willis  
Zoning Enforcement Official, Hannah Gienau  
Land Use Assistant, Anna Wynn

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

None.

V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY)

None.

VI. PRE APPLICATION DISCUSSION AND/OR WORKSHOP

None.

VII. OLD BUSINESS

- A. **PZ#24-10SITE & PZ#24-11CAM - 109 Military Highway (Parcel ID: 106-1590-109), Gales Ferry, CT** - Applicant: Frank C. Borawski, P.E. - Owners: James & Sandra Onorato for Site Plan & Coastal Site Plan Approval for Bank Stabilization Project on Mill Cove. *(Submitted 8/19/24, Date of Receipt 09/12/24, DRD 11/15/24).*

Director Burdick stated that the applicant has requested that the hearing on this application be tabled until the December 5, 2024 PZC Meeting to allow for more time to work with coastal resources.

MOTION to accept the applicant's grant of an extension of time and table the application to the PZC Special Meeting of December 5, 2024.

**RESULT:** TABLED

**MOVER:** Paul Whitescarver

**AYE:** 5 Wood, Whitescarver, Craig, Miello, and Ribe

**ABSTAIN:** 1 Harwood

VIII. NEW BUSINESS

- A. **PZ#24-12SITE - 5A Lorenz Industrial Parkway, (Parcel ID: 138-1380-5A), Ledyard, CT, 06339** - Agent, Peter Gardner - Applicant/Owner, A&R Associates Inc. for site plan approval for new 2370sf building and associated site improvements *(Submitted 10/29/24, Date of Receipt 11/14/24, DRD 01/17/24)*

Director Burdick stated that the application was just recently submitted and there hasn't been enough time to review it. She advised the Commission to table the application until the PZC Special Meeting of December 5, 2024 to allow time for more review and for the applicant to make a presentation.

MOTION to table application PZ#24-12SITE to the PZC Special Meeting of December 5, 2024

**RESULT:** TABLED

**MOVER:** Paul Whitescarver

**AYE:** 5 Wood, Whitescarver, Craig, Miello, and Ribe

**ABSTAIN:** 1 Harwood

**B. MOTION to approve 2025 Planning and Zoning Commission Meeting Schedule**

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Paul Whitescarver

**AYE:** 5 Wood, Whitescarver, Craig, Miello, and Ribe

**ABSTAIN:** 1 Harwood

**C. Election of Officers**

MOTION to elect Commissioner Marty Wood as Chairman, Commissioner Paul Whitescarver as Vice Chairman and Commissioner Howard Craig as Secretary of the Planning and Zoning Commission.

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Paul Whitescarver

**AYE:** 5 Wood, Whitescarver, Craig, Miello, and Ribe

**ABSTAIN:** 1 Harwood

**IX. 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, 65 Day Ext. Granted, DRD 65-days from close PH).**

Chairman Wood reopened the public hearing. He stated for the record that Commissioner Harwood will be seated for this application to replace Vice Chair Paul Whitescarver who has been recused from this application.

Director Burdick stated that the town expert consultants will present first, and then Attorney Heller and Attorney Carroll will have the opportunity to cross examine each consultant.

Kyle Halburt of CLA Engineers introduced himself and presented his third part review.

Attorney Harry Heller of Heller, Heller & McCoy, 736 Route 32, Uncasville, CT, stated that he has no questions and that he reviewed Mr. Halburt's recommendations with his consultants and they were found to be reasonable.

Attorney Wilson Carroll of Cohen & Wolf, 1115 Broad St, Bridgeport CT, cross examined Mr. Halburt.

Director Burdick commented that for the record Kyle Halburt as well as other third part experts were accompanied on a site walk by Attorney Heller and Chase Davis to point out location of proposed development. She stated that the site walk was conducted on September

5, 2024 as well as two other dates that she will verify when she is in front of her calendar.

Attorney Heller cross examined Mr. Kyle Halburt of CLA Engineers.

Director Burdick introduced the next third party review expert.

Doug Oster of Weston & Sampson introduced himself and gave his traffic report review.

Commissioner Ribe and Doug Ostler clarified where his recommendations are listed. Commissioner Craig and Doug Ostler discussed car crash rates on Rt 12. Commissioner Harwood and Doug Ostler discussed peak traffic hours. They discussed ways to manage traffic. Attorney Heller cross examined Doug Ostler. Attorney Carroll Cross examined Doug Ostler. Chairman Wood and Doug Ostler discussed traffic amounts to South and to the North.

Director Burdick introduced Don Poland of Goman & York to speak about his economic impact report.

Mr. Don Poland introduced himself and his background and then presented his report.

Chairman Wood asked the audience to hold their comments during Mr. Poland's presentation. Chairman Wood and Mr. Don Poland discussed what variables were used to calculate his economic impact report.

Attorney Heller cross examined Mr. Don Poland. Attorney Carroll Wilson cross examined Mr. Don Poland.

### **10 MINUTES RECESS**

Director Elizabeth Burdick introduced the next town consultant, Scott Noel, to the meeting who was attending via zoom.

Scott Noel of HMMH, gave his presentation on sound noise and vibration.

Commissioner Craig and Scott Noel talked about potential damage from vibrations exceeding limits. Commissioner Ribe and Scott Noel discussed safe distances from the sight. Commissioner Craig asked Attorney Heller if the applicant had ever exceeded sound and vibration limits on any other application. Attorney Heller stated that his only knowledge of the applicant pertains to this specific application. Commissioner Miello asked Scott Noel who conducted the review from the firm. They discussed the methods used in the report. Chairman Wood and Scott Noel discussed height measurements for monitors.

Michael McCarter of HMMH introduced himself and discussed with Chairman Wood height measurements for monitors.

Attorney Heller cross examined Scott Noel on various topics. Attorney Carroll cross

examined Scott Noel. Director Burdick helped identify the specific address in question. Attorney Heller came back to the stand and asked Scott Noel additional questions. Chairman Wood and Scott Noel discussed the definition of L90.

Michael McCarter of HMMH introduced himself and his expertise and gave his presentation. Commissioner Ribe and Michael McCarter discussed his professional recommendations. Attorney Heller cross examined Michael McCarter. Attorney Carroll cross examined Michael McCarter.

Director Burdick stated that members of the public with presentations will give their statements first. Joanne Kelly was invited to give her presentation to the Commission.

Joanne Kelley of Thamesview Pentway, Gales ferry, began her presentation.

Chairman Wood asked that she complete her presentation at the next meeting.

**RESULT:** CONTINUE  
**MOVER:** Marcelle Wood  
**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, 65 Day Ext. Granted, DRD 65-days from close PH).**

**RESULT:** TABLED  
**MOVER:** Marcelle Wood  
**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood  
**RECUSED:** 1 Whitescarver

**X. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**

- A. MOTION to approve PZC Special Meeting Minutes of October 24, 2024**

**RESULT:** APPROVED AND SO DECLARED  
**MOVER:** Marcelle Wood  
**SECONDER:** Howard Craig  
**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood  
**RECUSED:** 1 Whitescarver

XI. CORRESPONDENCE

None.

XII. REPORTS

Director Burdick stated that if the Commissioner has any questions about the Zoning Official's report to email the office.

XIII. ADJOURNMENT

Commissioner Craig moved the meeting be adjourned seconded by Commissioner Harwood.

The meeting adjourned at 9:55 p.m.

VOTE: 5-0 Approved and so declared

Respectively Submitted,

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Chairman Wood  
Planning & Zoning Commission

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