



## TOWN OF LEDYARD

### Department of Land Use and Planning

*Elizabeth J. Burdick, Director*

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#### MEMORANDUM FOR THE RECORD

#### APPLICATION PZ#24-2RESUB/AHD

#### REGULAR MEETING & PUBLIC HEARING – THURSDAY, AUGUST 22, 2024

Prepared by *Liz Burdick*, Director of Land Use & Planning on 8/22/24

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<b>Property Address(es):</b>	96,98,100 Stoddards Wharf Rd, Ledyard, CT
<b>Application:</b>	PZ#24-2RESUB/AFD – 18-Lot Affordable Housing Resubdivision
<b>Applicant(s):</b>	Avery Brook Homes, LLC
<b>Property Owner(s):</b>	Avery Brook Homes, LLC
<b>Owner Address(es):</b>	P.O. Box 335, Gales Ferry, CT 06335
<b>Attorney:</b>	Harry Heller, Esq., Heller, Heller & McCoy
<b>Land Surveyor:</b>	Peter Gardner, LS, Dieter & Gardner
<b>Engineer:</b>	John R. Martucci, P.E., LBM Engineering
<b>Intervener:</b>	Stephen Suder, Esq., Bercham & Moses for Intervener City Groton Utilities.
<b>Lot Size:</b>	6.38-acres (277,913SF) (combined lots).
<b>Lot Frontage:</b>	309.89-Feet (combined lots) on Stoddards Wharf Rd (CT Route 214).
<b>Zoning District:</b>	R-60 Residential District
<b>Wetlands/Watercourses:</b>	No inland wetlands or watercourses identified on-site.
<b>Flood Hazard Zone:</b>	No. Applicant states the site is located in FEMA Flood Zone C – Panel No. 09011C0359G.
<b>CAM Zone:</b>	No.
<b>Public Water Supply Watershed:</b>	Yes. City of Groton
<b>Proposed Public Improvements:</b>	Yes. Proposed public road and associated drainage structures - "Avery Court."

**Legal:** Submitted to Land Use Department on March 28, 2024. Date of Receipt 4/11/24, PH originally set for 5/9/24, PH Opening Postponed to 5/30/24, PH Opened 5/30/24, (ORIG. PH must close by 7/3/24), PH Cont. to 6/13/24, PH Cont. to 7/11/24 with 35-day extension granted, PH Must Close By 8/8/24, Rqst. to Cont. PH to Spec. Mtng on 8/22/24 with Ext Time Granted, PH Cont. to 8/22/24 - DRD 65 days from Close PH ).

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#### STAFF COMMENTS:

1. Seven exhibits, *plus this report (EX#66)*, were added to the record since the 8/8/24 hearing as follows: **EX#58** – DYMAR peer review of a report prepared by Angus McDonald Gary Sharpe & Associates, Inc. (AMGS), addressing a *Septic System Effluent Renovation Analysis* of the potential impacts to Billings Avery Reservoir, Dated 8-15-24; **EX#59** - Dieter & Gardner, Inc Bond Estimate, Avery Court, 8-12-24; **EX#60** - Wright-Pierce

– Memorandum addressed to Peter Gelderman and Steven Studer, Berchem Moses titled “Avery Brook Homes Subdivision, Ledyard CT Review of Water Quality Impacts from 18 Lot Re-Subdivision”, 8-15-24; **EX#61** – Email DPH - Wright-Pierce Re Avery Brook Subdivision with Attachments 081224; **EX#62** - Email from Elizabeth Burdick to Lisette Stone regarding the timeline of the public hearing and absence of DPH comments; **EX#63** - Report in opposition of Avery Brook Homes proposal from Groton Public Utilities addressed to Chairman Capon and Commissioners; **EX#64** - Email from Attorney Harry Heller addressed to Elizabeth Burdick with attached Resume of Stuart Fairbank, CT Public Health Code On-Site Sewage Disposal Regulations and Technical Standards, Determination of Suitability; **EX#65** - 24-2RESUB Email w Attachments Heller Re ABH 082124.

**2.** Public Hearing – Legal: The public hearing opened for this application on 5/30/24. The original hearing closing date, without any extensions of time, was 7/3/24. The Applicant granted the Commission the maximum number of 65 days of extensions of time to continue the hearing through 8/22/24. 65-days from 7/3/24 is 9/5/24. Subsequently, the Commission legally has until 9/5/24 to close the public hearing for this application.

**3.** Decision – Legal: The Commission has 65 days from the close of the public hearing to deliberate and make the decision for this application.

**STAFF RECOMMENDATION:** RESERVED AT THIS TIME.

Please contact me at the Planning Dept. at Town Hall at (860) 464-3215 with any questions. Thank you.