



TOWN OF LEDYARD CONNECTICUT PLANNING & ZONING COMMISSION

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-

Chairman Marcelle Wood

HYBRID FORMAT
REGULAR MEETING

~ MINUTES ~

Thursday, January 9, 2025

6:00 PM

Council Chambers, Town Hall Annex

DRAFT

I. CALL TO ORDER

Chairman Wood called the meeting to order at 6:00 p.m. at the Council Chambers, Town Hall Annex Building and on Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL APPOINTMENT OF ALTERNATES

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

In addition, the following were present:

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

Chairman Wood stated for the record that there would be no discussion of application PZ#24-8SUP & PZ#24-9CAM during the meeting as it has already been tabled to a Special Meeting on January 23, 2025, at 6:00pm.

IV. APPROVAL OF ADDITONS TO AND/OR CHANGES TO ORDER OF THE AGNEDA

None.

V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY)

Eric Treaster, 10 Huntington Way, Ledyard, asked what the Commission's intent was on revisiting the subject of multifamily housing regulations.

Chairman Wood responded that the Commission will consider revisiting the subject of multifamily housing after the completion of application PZ#24-8SUP & PZ#24-9CAM.

Kevin Blacker, 11 Church Street, Noank, CT, asked the Commission to consider unintended impacts of the sewer expansion on nearby brooks. He spoke about the connection of brooks and public drinking water and mentioned that Aquarion has received many requests from residents to remove themselves from public water supplies.

VI. PRE-APPLICATIONS OR WORKSHOP

None.

VII. PUBLIC HEARING/ APPLICATIONS

None.

VIII. 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, Orig. DRD 11/15/24, Tabled to 12/12/24 w Ext. Granted, Rqst to table to 1/9/25 w Ext. Granted, DRD 1/9/25).

Director Burdick reviewed the history of the application since it was submitted to the Land Use Department. She stated that due to ongoing discussion and lack of agreement between the applicant and DEEP, the application has run out of time and has been withdrawn by the applicant. She asked the Commission to waive the resubmission fee for the applicant when or if they reach agreement regarding the bank stabilization plan.

Chairman Wood made a MOTION to waive the resubmission fee for application PZ#24-10SITE & PZ#24-11CAM which was moved by Vice Chair Paul Whitescarver and seconded by Commissioner Ribe.

Discussion: The Commission concluded that because the applicant withdrew the application, and no money has been spent on legal notices it would be possible to waive the fee.

5- 0 APPROVED AND SO DECLARED

MOVER: Ribe

SECONDER: Whitescarver

AYES: Craig, Harwood, Miello, Ribe, Whitescarver, Wood

NON-VOTING: 1 Harwood

B. 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, Tabled to 12/12/24, Request to Table to 1/9/25, DRD 01/17/24)

Director Burdick stated she has a second memorandum for the record this evening regarding

application PZ#24-12SITE that she will review with the Commission after the presentation.

Peter Gardner of Dieter & Gardner, applicant representing A & R Associates, presented the application to the Commission. He stated that the application is almost identical to what was proposed on the subdivision plan. He stated that the intent of the owner is to construct and sell trailers from the property location. He reviewed several requirements the application has already met.

Director Burdick commented that copies of the map have been included in the Commissioners' folders. Mr. Gardner reviewed and explained several details included on the plan. He stated that if the Commission has any questions he'd like to try and answer them. Director Burdick asked Mr. Gardner to clarify the meaning of two units regarding the plan. He explained that the two units include one office space and one bay area.

Director Burdick stated that the application has already been reviewed and approved by the IWWC on January 7, 2025. She stated that the application has already been reviewed by appropriate town staff and Ledge Light Health District. She additionally stated that Groton Public Utilities has submitted documentation stating they will provide public water to the property. She stated that the applicant will need to post a bond for \$3,500 dollars. She stated that all this information is included in her second memo. She stated that she advised the Commission to approve the application with conditions.

Director Burdick reviewed the conditions of approval with the Commission that are included in her staff memo marked as file document #21.

Chairman Wood asked if the trailer storage area would be holding completed products. Mr. Garder responded yes. Chairman Wood asked for clarification on customer traffic and where sales would be conducted. Mr. Gardner responded that sales would rarely be conducted on site and that most of the sales would be made online, decreasing potential traffic flow in and out of the property.

Director Burdick commented that parking spaces have been provided in accordance with the Ledyard Zoning Regulations.

Commissioner Ribe asked what the proposed sign would look like. Mr. Gardner said that the location of the sign is provided on the site plan but that a separate company will be responsible for designing and installing the sign at a later time.

Chairman Wood asked if the owner will be refurbishing or doing any work on existing trailers. Mr. Gardner said no and clarified that all products from this business will be regarding new trailers.

Director Burdick commented that the reason the application states "motor vehicles sales" as one of the uses is because State Regulations consider trailers to be motor vehicles.

Commissioner Miello asked if the owner is manufacturing their own trailers or selling someone else's product. Mr. Gardner responded that the company will manufacture them at a different location but store them at the 5A Lorenz property.

Peter Gardner commented regarding one of the conditions of approval stated that he does not

agree that site plans should be filed in the clerk's office as they are not legal documents. He asked that the Commission review this regulation requirement and consider changing or getting rid of it.

Vice Chairman Paul Whitescarver made a MOTION to APPROVE Application 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 2400+/-sf commercial building and associated site improvements in that the application, supporting documents and a plan entitled "Plan Showing Proposed Building on Property of A & R Associates, Inc., 5a Lorenz Industrial Parkway, Ledyard, CT Prepared by Dieter & Gardner, Dated October 2024, Revised to January 2, 2025" comply with all applicable sections of the Ledyard Zoning Regulations, with the following conditions:

1. Access and utilities easements documents shall be submitted for review & approval of the Town Attorney and shall be filed on the Land Records in the Office of the Town Clerk with the Final site Plan. No zoning permit to start work shall be issued until filed. Proof of said filing shall be submitted to the Land Use Dept.
2. Four (4) final plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by L.S., P.E. & C.S.S.
3. The final approved site plan set, following endorsement, shall be filed on the Land Records in the Office of the Town Clerk within 90-days following its approval, et al. No zoning permit to start work shall be issued until filed. Proof of said filing shall be submitted to the Land Use Dept.
4. An approved Zoning Permit is required prior to the start of any work.
5. Prior to issuance of a zoning permit to start work, A Soil Erosion & Sediment Control bond shall be posted in the amount of \$3,500 in a form acceptable to the Finance Director. No bond, or portion thereof, shall be released without prior approval of the Zoning Officer and/or Director of Land Use & Planning.
6. Following the issuance of a zoning permit to start work, the Zoning Official and/or Land Use Director shall be contacted and a pre-construction meeting shall be held at least one-week prior to start of any work.
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7. Following the pre-construction meeting, Soil Erosion & Sediment Controls (SESC) shall be installed in accordance with the approved plan set and inspected by the Zoning Officer prior to the start of any work. SESC shall be maintained in good working order until the site is permanently stabilized with vegetative or other cover.
8. After work has commenced, any substantive changes to the approved site plan require review and approval by the Land Use Director and/or the Planning & Zoning Commission.
9. Applicant shall meet all of the requirements of the Ledyard Building Department, Fire Marshal, WPCA, Ledge Light Health District for required permitting and inspections.
10. Prior to issuance of any Certificate of Zoning Compliance, all site improvements shall be constructed in accordance with the approved site plan. A complete As-Built plan certified to A-2

accuracy shall be submitted to the Zoning Official and/or Land Use Director for review & approval.

11. The Applicant may, at the discretion of the Zoning Official and/or Land Use Director if the site improvements have been substantially completed, submit a site completion bond for any improvements that have not been completed at the time of the request for Certificate of Zoning Compliance due to weather or other constraints out of the control of the Applicant/Owner. A bond estimate for said improvements shall be submitted to the Land Use Dept. for review and approval and any bond shall be posted in a form acceptable to the Finance Director.

This motion was moved by Commissioner Craig and seconded by Commissioner Ribe.
Discussion: The Commission had no further discussion.

RESULT: 5-0 APPROVED WITH CONDITIONS

MOVER: Craig

SECONDER: Ribe

AYES: Craig, Harwood, Miello, Ribe, Whitescarver, Wood

NON-VOTING: Harwood

C. 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, PH Cont. 12/5/24, PH Cont. to 12/12/24, PH Cont. to 12/19/24, Cont. to 1/23/25, 65 Day Ext. Granted, PH must close by 12/20/24, DRD 65-days from close PH). **TABLED TO 1/23/2025 MEETING**

The Commission and staff briefly discussed the location of the next several meetings for the application and discussed the cost burden of holding them at the Ledyard Middle School. The Commission concluded that they would hold the PZC Special Meeting of January 23, 2025 at the Ledyard Middle School Auditorium as they had previously agreed to, and if there is a low attendance they will hold the rest of the meetings at the Town Hall Annex to reduce cost.

Chairman Wood restated for the record that this application was already tabled until January 23, 2025 so no further action is needed.

IX. NEW BUSINESS

A. Application PZ#21-10RESUB Fire Side Farm 4-Lot Resubdivision, 34 Village Drive, Owner: Anthony Silvestri & Reuven Drive, Ledyard, CT, Owners: Mario Luis Mendez & Susan Ponta; Applicant: James Bernardo, Land Surveying, LLC, Zone R-40, 12.42 Acres for request for referral to Town Council to accept completed Extension of Village Drive as a Town Road

Director Burdick briefly reviewed the history of the application and subdivision. She read into the record relevant Town Ordinances. She reviewed the multiple documents the Commission

received. She stated that she advises the Commission to accept the and approve the referral as a town road.

Chairman Wood made a MOTION to forward a favorable referral in accordance with Town Ordinance #300-25, Part II, Section 3 & 4 and C.G.S. 8-24 to the Town Council to ACCEPT Village Drive, including its infrastructure, that was approved as part of Application PZ#21-10RESUB, Fire Side Farm 4-Lot Resubdivision, 34 Village Drive, Ledyard, CT on December 9, 2021, along with the written recommendation of the Director of Public Works, dated December 19, 2024 and all supporting documentation as required by Town Ordinance #300-025, Part II, Sections 3 & 4, including warranty deeds with the following conditions:

1. The warranty deeds shall be reviewed and approved by the Director of Public Works and/or Town Attorney prior to acceptance; and
2. The Applicant shall submit P.E. and utilities Cliification per Section 3.A(1), (2) & (3) prior to acceptance

This motion was moved by Vice Chair Paul Whitescarver and seconded by Commissioner Craig.

Discussion: The Commission had no further discussion.

RESULT: 5- 0 APPROVED AND SO DECLARED

MOVER: Whitescarver

SECONDER: Craig

AYES: Craig, Harwood, Miello, Ribe, Whitescarver, Wood

NON-VOTING: Harwood

B. Application PZ#22-8SUB - 24-Lot Open Space Subdivision, 79 Vinegar Hill Road - Owner/Applicant, Mr. G. 1., LLC - Current Owner, Mt. Kineo Builders for request for referral to Town Council to accept completed Marty's Way as a Town Road.

Director Burdick reviewed the plans with the Commission.

Chairman Wood made a MOTION to forward a favorable referral in accordance with Town Ordinance #300-25, Part II, Section 3 & 4 and C.G.S. 8-24 to the Town Council to ACCEPT Marty's Ways, including its infrastructure, that was approved as part of Application PZ#22-8SUB, Eagle's Landing 24-LOT Open Space Subdivision, 79 Vinegar Hill Road, Ledyard, CT on August 11, 2022, along with the written recommendation of the Director of Public Works dated December 19, 2024 and all supporting documentation as required by Town Ordinance #300-025, Part II, Sections 3 & 4, including warranty deeds with the following conditions:

1. The warrant deeds shall be reviewed and approved by the Director of Public Works and/or Town Attorney prior to acceptance; and

2. The Applicant shall submit P.E. and Utilities Celiification per Section 3.A(1), (2) & (3) prior to acceptance.

RESULT: 5– 0 APPROVED AND SO DECLARED
MOVER: Wood
SECONDER: Miello
AYES: Craig, Harwood, Miello, Ribe, Whitescarver, Wood
NON-VOTING: Harwood

X. APPROVAL OF MINUTES

Staff informed the Commission that due to software issues many of the draft minutes online are incorrect but the hard copies that will be submitted to the Clerk’s Office as the official record of the town are revised correctly.

Vice Chair Paul Whitescarver stated that he would abstain from voting on the minutes as he was recused from application PZ#24-8SUP & PZ#24-9CAM.

Chairman Wood made a motion for each of the following sets of minutes.

A. MOTION to approve PZC Special Meeting Minutes of October 10, 2024

RESULT: 4-0 APPROVED AND SO DECLARED
MOVER: Craig
SECONDER: Ribe
AYES: Craig, Harwood, Miello, Ribe, Wood
NON-VOTING: Harwood
ABSTAIN: Whitescarver

B. MOTION to approve PZC Special Meeting Minutes of November 14, 2024

RESULT: 4-0 APPROVED AND SO DECLARED
MOVER: Craig
SECONDER: Miello
AYES: Craig, Harwood, Miello, Ribe, Wood
NON-VOTING: Harwood
ABSTAIN: Whitescarver

C. MOTION to approve PZC Special Meeting Minutes of November 21, 2024

RESULT: 4-0 APPROVED AND SO DECLARED
MOVER: Craig
SECONDER: Ribe
AYES: Craig, Harwood, Miello, Ribe, Wood
NON-VOTING: Harwood
ABSTAIN: Whitescarver

D. MOTION to approve PZC Special Meeting Minutes of December 5, 2024

RESULT: 4-0 APPROVED AND SO DECLARED
MOVER: Craig
SECONDER: Miello
AYES: Craig, Harwood, Miello, Ribe, Wood
NON-VOTING: Harwood
ABSTAIN: Whitescarver

E. MOTION to approve PZC Special Meeting Minutes of December 12, 2024

RESULT: 4-0 APPROVED AND SO DECLARED
MOVER: Ribe
SECONDER: Craig
AYES: Craig, Harwood, Miello, Ribe, Wood
NON-VOTING: Harwood
ABSTAIN: Whitescarver

F. MOTION to approve PZC Special Meeting Minutes of December 19, 2024

RESULT: 4-0 APPROVED AND SO DECLARED
MOVER: Ribe
SECONDER: Miello
AYES: Craig, Harwood, Miello, Ribe, Wood
NON-VOTING: Harwood
ABSTAIN: Whitescarver

XI. CORRESPONDENCE

None.

XII. REPORTS

A. Staff Reports

Director Burdick stated that she had spoken previously with Eric Treaster who would like the Commission to revisit amending regulations related to multifamily housing.

Director Burdick stated that Habitat for Humanity had recently submitted an application for IWWC review for the development and completion of 8, 9 & 11 Colby Drive. She gave a brief She stated they are still in the process of completing their application and plan to present in February. The Commission and Director Burdick clarified the location of the proposed project in town.

Director Burdick stated at the Town Council's last meeting Ms. Rhonda Spaziani from Gales Ferry was appointed as an alternate member for the Planning & Zoning Commission. She stated that she anticipates she will attend the upcoming Special Meeting on January 23rd. The Commission asked staff to clarify with the Town attorney if the new member will participate in the discussion and decision of PZ#24-8SUP & PZ#24-9CAM.

Zoning Enforcement Official, Hannah Gienau, briefly reviewed her staff report with the Commission and stated there are very view changes from the last report.

The Commission asked that staff send the event details of the Twisted Sugar Ribbon Cutting Ceremony, which is due to occur on February 14, 2025 at 3:00 p.m.

Vice Chair Paul Whitescarver asked for updates regarding Barkin' Barley, Director Burdick said she would follow up with the owners.

XIII. ADJOURNMENT

Commissioner Ribe moved the meeting be adjourned, seconded by Secretary Craig.

VOTE: 5 - 0 Approved and so declared, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Secretary Howard Craig
Planning & Zoning Commission