



Chairman
Tony Capon

TOWN OF LEDYARD

Planning & Zoning Commission

Meeting Minutes

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Special Meeting

Thursday, December 14, 2023

6:00 PM

Ledyard Middle School Auditorium,
1860 Rt. 12, Gales Ferry, CT

I. CALL TO ORDER

Chairman Capon called the Special Meeting of the PZC to order at 6:00 PM. The meeting was hybrid with some attending in person and others via Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL APPOINTMENT OF ALTERNATES

Present: Planning Director, Juliet Hodge, Administrative Asst., Makenna Perry, Zoning Enforcement Official - in training, Alex Samalot.

The following members were present. All members present were seated as voting members for all business before the Commission.

Present Chairman Tony Capon
Commissioner Howard Craig
Alternate Member Jessica Cobb
Chairman Matthew Miello
Excused Commissioner Marcelle Wood
Commissioner Paul Whitescarver

IV. CITIZENS PETITIONS (NON-AGENDA ITEMS - LIMITED TO 3 MIN)

None.

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

None.

VI. PRE APPLICATION OR WORKSHOP

None.

VII. PUBLIC HEARINGS/APPLICATIONS

- A. Application PZ#23-13RA of the Town of Ledyard PZC for amendments to the following Sections of the Zoning Regulations: 2.2 (add and modify select definitions); 3.7C (Uses approved by ZEO); 3.8 (Prohibited Uses -add Shipping Containers in Residential Districts); 5.3 & 6.4 (Schedule of Uses- to reflect changes to Family and Group Child Care Homes; 7.8

(add requirements for PODS & Shipping Containers); 8.1 (Accessory Apartments - add subsection A(11)); 8.3 (Adult Day Care Center - Deleted section); 8.8 (Child Day Care Center - amended and added 8.8A (Family and Group Child Care Homes)); 8.34B (Cannabis Establishment - Remove definitions); 9.4.1 (17) (Parking Ratios); 9.7C(2) (Outdoor Storage); and TOC to reflect changes.

Chairman Capon opened the public hearing for Application PZ#23-13RA at 6:06 PM. All members present were seated as voting members for this application.

Planning Director, Juliet Hodge presented the application on behalf of the Commission. The following people spoke:

Eric Treaster, 10 Huntington Way, Ledyard spoke in favor of the application. He suggested the following minor changes:

Remove the words "considered to be" in the last sentence of the definition of Shipping Container (p2-17)

Remove the words "as accessory structures" from Section 3.8(E) (p3-3)

Change 7.8(D)(8) to read Not to exceed 40' in length

Mike Cherry, 5 Whipporwhill Dr, Gales Ferry spoke in favor of the application.

Kevin Blacker, 11 Church St. Noank, questioned if shipping containers will be prohibited for agricultural uses. Planning Director, Juliet Hodge, noted that shipping containers were allowed in conjunction with an active farming use.

Chairman Capon closed the public hearing at 6:20 PM.

The Commission discussed the application. Commissioner Cobb expressed concern in regard to the cost of permits for shipping containers being too high for military families that move frequently.

The Commission agreed to Mr. Treaster's suggested edits.

A motion was made by Commissioner Craig to approve Application #PZ22-13RA as amended. Commissioner Cobb seconded the motion. Application was approved without objection, with an effective date of January, 2, 2024.

RESULT: APPROVED AND SO DECLARED

MOVER: Howard Craig

SECONDER: Jessica Cobb

- B.** Applications PZ#11-SUP and PZ#12-CAM of Gales Ferry Intermodal, LLC located at 549 South Street, Quincy MA 02169 for a Special Use Permit and CAM Review to modify existing SUP for Mixed-use (Commerical/Industrial) to add an Excavation Operation, Major on the property located at 1737 and 1761 Connecticut Route 12, Gales Ferry CT.

Chairman Capon opened the public hearing for Application PZ#23-11SUP and PZ#23-12 CAM at 6:25 PM. All members present were seated as voting members for this application.

Atty. Harry Heller, 736 Route 32, Uncasville, presented the application on behalf of the

applicant. Atty. Heller identified the following applicant's team members present: Andrew McCoy, an associate of Heller, Heller, and McCoy; George Andrews PE/LEP and Susan Marquardt, PE, both from Lourerio Engineering Associates; Tim Harmon and Kevin Godfrey from Maine Drilling and Blasting; Alan Perrault and Chase Davis, from Gales Ferry Intermodal LLC; and Mike Cherry, the Community Liaison.

Atty. Heller asked that the record of the proceeding of the Special Permit/Site Plan Application, be incorporated into the CAM Application. The Commission accepted his request. Atty. Heller explained that the application is for a modification of a special permit, to add the use "Excavation, Major" to the existing Special Permit. He noted that the excavation operation will occur in five phases and will create an additional 26 acres of industrial land for the Town.

Atty. Heller explained that the site will not have a fixed processing area and that it would be "dry processing" with the exception of water used to control dust. He noted that most of the material would leave the site via barge. They are expecting to have 100 truck trips a day.

George Andrews, from Loureiro Engineering, presented the engineering plan for the application. He described the plan to bench the slopes and to convert the temporary sedimentation basins into retention or detention basins in conjunction with future development. He described the areas with environmental concerns.

Tim Harmon, from Maine Drilling and Blasting, presented information related to past drilling jobs near sensitive resources. Mr. Harmon noted that his company is currently operating at the excavation site on Baldwin Hill Rd, in Ledyard. The company will be offering pre-blast surveys for people that live within a radius of 750 feet from the proposed excavation site versus the required 250 foot radius.

Atty. Heller discussed the archeological investigation prepared by Heritage Consultants, LLC. A Phase 1A and 1B investigation have been completed and other investigations are still ongoing in additional areas. He noted that findings will be updated as investigations continue.

Atty. Heller identified the regulations he felt pertained to the application.

The applicant stated that they would submit a bond estimate as required for final site stabilization.

Atty. Heller also acknowledged the PZC regulatory authority to limit hours of operation for all activity per section 8.16, and acknowledged that the excavation permit has a duration of three years and, after which must be renewed. Atty. Heller recognized the requirement regarding grading, drainage, and storm water management.

At 9:00pm the internet signal was lost and could not be fixed. (Per the IT person, it was caused by CEN scheduled maintenance.) As the meeting was noticed as being a Hybrid Meeting, it could not continue. The Chairman stated that the Public Hearing would be

continued to Thursday, December 21st at 6pm in the Ledyard Middle School Auditorium, and that a notice of this would be placed on the Town's website.

RESULT: CONTINUE

VIII. OLD BUSINESS

None.

A. Election of Officers

The Commission did not conduct any further business after the connection to the internet was lost. This item will be continued to the next meeting.

IX. NEW BUSINESS

X. APPROVAL OF MINUTES

A. Draft Meeting Minutes - November 16, 2023

The Commission did not conduct any further business after the connection to the internet was lost. This item will be continued to the next meeting.

RESULT: CONTINUE

XI. CORRESPONDENCE

The Commission did not conduct any further business after the connection to the internet was lost. Staff will identify all letters and emails received since the November Meeting at the next meeting.

XII. REPORTS

The Commission did not conduct any further business after the connection to the internet was lost. This item will be continued to the next meeting.

A. Staff Reports

RESULT: CONTINUE

XIII. ADJOURNMENT

The meeting was adjourned at approximately 9:15 pm due to the lack of internet connection.

Secretary, Marty Wood

Date