

Date: 4/10/23  
 To: Town of Ledyard Planning & Zoning Commission (“P&Z”)  
 From: Citizens Alliance for Land Use (“CALU”)  
 Re: Application PZ#23-4SUP of Gales Ferry Intermodal LLC (“GFI”), which is owned and operated by Cashman Dredging and Marine Contracting Co., LLC (“the Company”).

**OVERVIEW**

This document was created to share thoughts with our P&Z as they consider the Company’s Application PZ#23-4SUP for the construction of a 20,000 square foot industrial building on the GFI property. In summary, the Company’s proposed building location would directly violate many of our zoning regulations, and therefore we would object to P&Z approving this application as submitted. However, we look forward to a modified application from the Company that we would be comfortable supporting.

Along the northernmost border of GFI’s property, the proposed location for the Company’s first new building, there exists a natural landscape buffer of ~250-300 feet (~2+ acres), roughly outlined in “Current” photo to the right. Based upon the size and type of trees, including some evergreens and deciduous trees that have grown to 50’ and taller, we estimate that this landscape buffer has existed for many decades. The 2<sup>nd</sup> image shows a rendering of the new building at its proposed location.



Our primary goal in preparing this document is to request that the Company and our P&Z retain as much of this existing landscape buffer as possible (not only for this application but for any future proposed uses as well). Residents to the north intend to revitalize this neighborhood, in fact two properties have already been significantly improved. The destruction of this long-standing natural buffer would severely dampen if not ruin those revitalization plans, not to mention degrade that neighborhood’s quality of life and property values, especially those living very close to GFI’s northern property line.



Here are shots from a different angle:



As you can see below, if the building were to be located where proposed, it would require the destruction of almost the entire preexisting landscape buffer to the north. The abutting blue house would be left with virtually no buffer at all ... the closest red and white houses, barely more. Houses in this neighborhood would also be dwarfed by a building this massive in relative scale.



[Please note that illustrations on this and the prior page are very accurate. They were created using 3D computer models overlaid onto recent drone photos. A 3D model of the entire GFI site was created by exporting topographical maps from Google ("Terrain" maps in Google vernacular). Then the Company's proposed ~100'x200'x35' building was placed into this computer model, referencing the Company's own layout drawings. Camera angles were then adjusted to match each drone shot. Once the camera angles were matched, the building (with its surrounding pavement, dirt, etc.) was rendered, overlaid onto the drone photos, and then feathered in. Therefore, our illustrations on these pages are certainly accurate enough to give us all a true sense of reality.]

## BACKGROUND INFORMATION

### **Who We Are**

CALU is a group of Gales Ferry residents/homeowners who are concerned about current and future industrial development in the Thames River Valley. Our goals are to protect residents' health and safety, quality of life, property values, and our environment as development continues. Related to this particular application by the Company, our goals echo those of Ledyard's Planning & Development department, in that we "encourage quality, sustainable growth in Ledyard". We support economic development that addresses our community's critical interests and is beneficial to all concerned.

### **Recent Press**

Newspaper articles have been published in recent months about other industrial developments in our area. Most notable have been articles about how Montville residents have been adversely impacted by Gateway's new salt storage and distribution facility. Noise has been an issue, partly because Gateway removed trees and bushes that had given the neighborhood sound buffering in the past. Other complaints included light pollution, excessive truck traffic, and hours of operation. For Montville, unfortunately, the damage has already been done and likely cannot be rectified.

A more encouraging recent New London Day article, at least from the standpoint of communication and compromise, highlighted the proposed "Business Park North" in Occum. Residents' concerns include the Park's proposed traffic plan, the potential size of industrial buildings, and their proximity to neighboring properties. One paragraph in the article stood out:

"Kevin Brown, president of the Norwich Community Development Corp., which is leading the business park development plan, welcomed the neighbors' input. ... Some of the key points in the [residents'] letter, including a 150-foot setback of any proposed building to residential property lines and enhanced buffer screening, already are being implemented."

A member of "Preserving Norwich Neighborhoods LLC" who spoke with CALU expressed some optimism because the lines of communication with the developer seem to be open.

With those articles in mind, we'd like to think that Gales Ferry could be seen as an example of how things should work, with "opposing" parties settling issues collaboratively as opposed to combatively. We're hoping to start our long-term relationship with the Company in a way that gives the newspapers something positive and uplifting to write about, contrary to the Montville story, for example.

### **History of the GFI Site**

During prior public presentations, the Company has repeatedly emphasized the GFI's property's 200-year industrial history. But the abutting River Drive neighborhood to the north has homes going back at least as far as 1793. Therefore, at least for this application, we would argue that GFI's industrial history should have no greater bearing on P&Z's deliberations than its abutting northern neighborhood with an equally extensive residential history.

We would also mention that, while it's true that the GFI property has historically impacted the area positively through job creation, commerce, and tax revenue, the darker side of its history reflects severe environmental pollution from which the area, and the Thames River, has yet to fully recover. Clearly, the site's industrial history is a double-edged sword, and it should always be discussed in that complete context. It's interesting to note, though, that even Dow recognized the importance of maintaining a significant landscape buffer between its operations and its northern abutting neighborhood.

### **Economic Development**

CALU recognizes the importance of economic development, although this term is often too narrowly defined. "Economic development" is not only about increasing a town's tax base. A more common, appropriately broader definition is "programs, policies, and activities that seek to improve the economic well-being and quality of life for a community". That type of economic development we fully support.

**Good Neighbors**

In addressing residents and various town commissions, the Company has stated its desire to be a “good neighbor” within our community. We agree with that goal, and we expect the same from ourselves. In the past, CALU has presented arguments in defense of our various positions, causing some to view us as taking an adversarial posture. But the truth is that we are simply looking out for the best interests of our community. We understand that the Company has a right to use its industrial property, but only if its operations comply with our regulations and do not have deleterious impacts off site.

**All Industry is Not Alike**

Because CALU “pushed back” against one of the Company’s proposed GFI site uses, some have also incorrectly assumed that CALU will oppose all proposed uses. That is simply not the case. We are not an “opposition” group. We understand that some industries are beneficial to a community, and some are not. We will support those that are.

**What Did You Expect?**

Over the past year, this question has been posed to those of us who live near the GFI property: “You chose to live near an industrial property, so what did you expect?” Although this question is clearly rhetorical, we would like to share several “answers” for consideration:

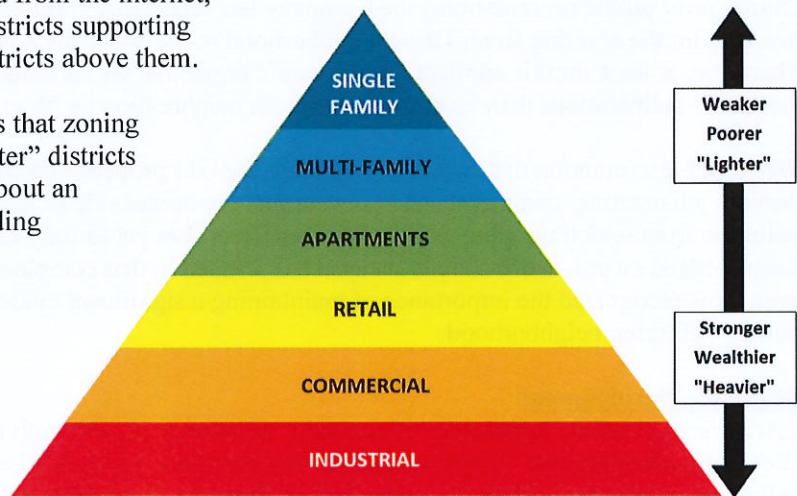
- 1) First, would it not then be fair to ask the Company the same question, i.e., “You chose to purchase industrial property surrounded by residential neighborhoods, so what did you expect?” Doesn’t the Company’s choice to locate in Gales Ferry bring with it more responsibility to care for its neighbors than would be required if surrounding properties were heavily industrial/commercial?
- 2) Secondly, the “what did you expect” question could be taken to mean that industry is only expected to be a good neighbor unless you live nearby. But shouldn’t it be especially if you live nearby? We have no doubt that the Company will be a good neighbor to residents living on Pumpkin Hill Road, for example, but the true test is with how they will treat those of us who live “next door”.
- 3) We have a similar perspective about our zoning regulations in that they are largely written especially for situations where industrial and residential districts “collide”. As we’ve said above, we don’t want to prevent or overly thwart economic development, we just want it done in a way that complies with our zoning regulations and protects the quality of life and well-being of nearby residential neighborhoods.
- 4) Lastly, some people live near industrial property because it’s all they can afford. It’s no coincidence that industrial sites are not surrounded by mansions, but instead they tend to be located in lower-income communities. Gales Ferry is not a wealthy community; in fact, we’re considered an “Environmental Justice Community” by CT DEEP. Therefore, we don’t believe that someone’s financial stature should be held against them in terms of where they have “chosen” to live.

**Zoning Pyramid**

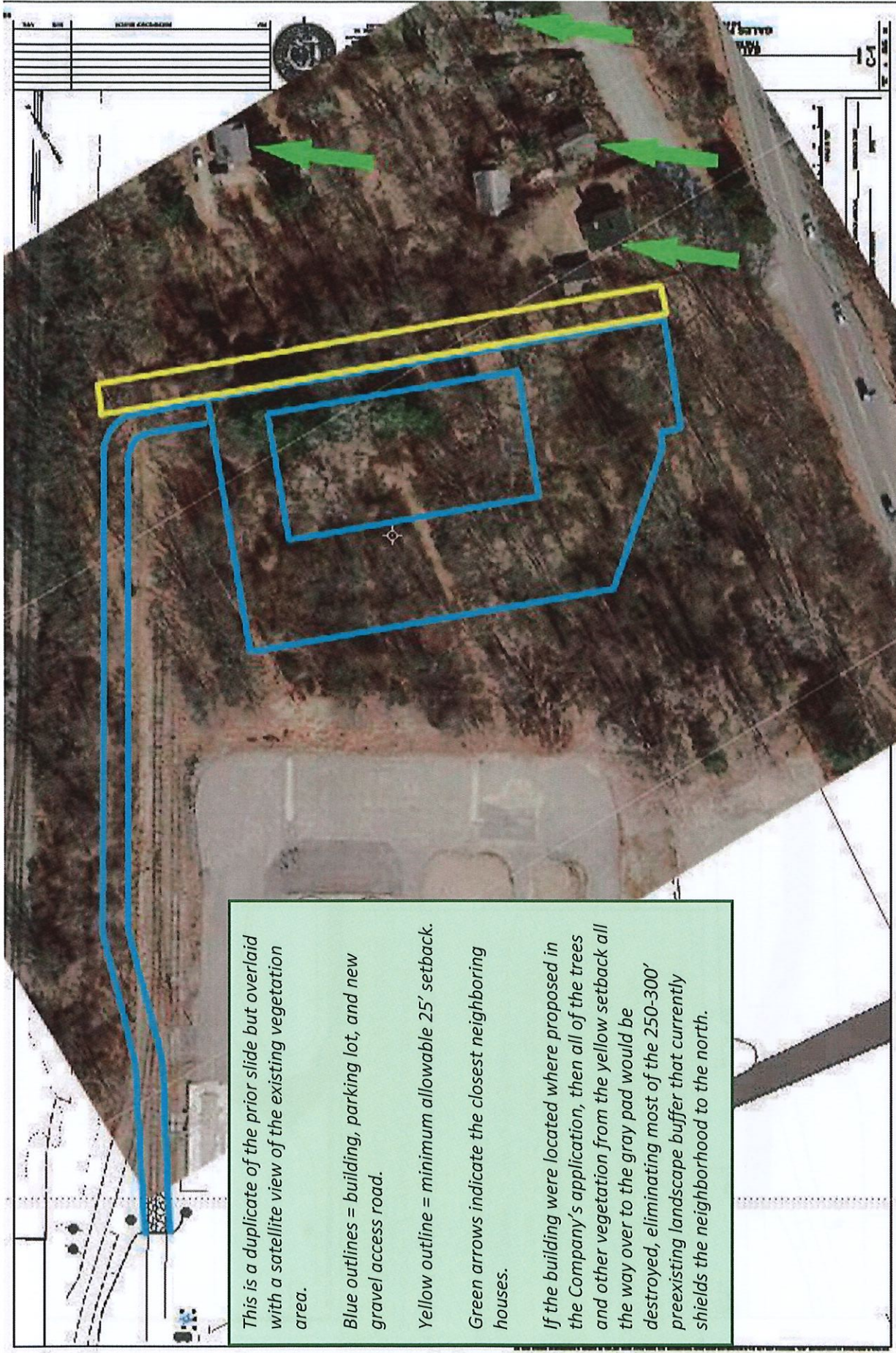
Shown here is a sample zoning pyramid pulled from the internet, showing "heavier" (i.e., stronger/wealthier) districts supporting increasingly "lighter" (i.e., weaker/poorer) districts above them.

The proposition represented by this pyramid is that zoning regulations are largely created to protect “lighter” districts from "heavier" ones. You never hear stories about an industrial property being “ruined” by surrounding residential neighborhoods, for example.

If the pyramid were allowed to be inverted, it would collapse under its own weight as heavier districts “crushed” the lighter ones. Zoning regulations exist, in part, to keep this pyramid right-side-up, ensuring that more powerful districts are not allowed to take advantage of weaker districts.







*This is a duplicate of the prior slide but overlaid with a satellite view of the existing vegetation area.*

*Blue outlines = building, parking lot, and new gravel access road.*

*Yellow outline = minimum allowable 25' setback.*

*Green arrows indicate the closest neighboring houses.*

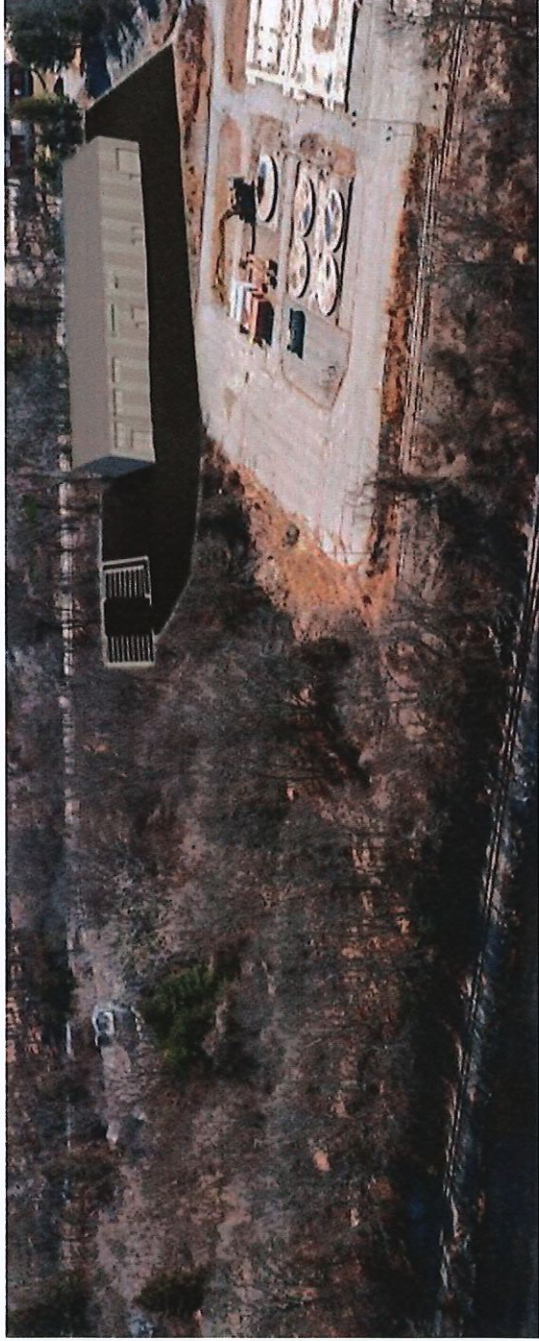
*If the building were located where proposed in the Company's application, then all of the trees and other vegetation from the yellow setback all the way over to the gray pad would be destroyed, eliminating most of the 250-300' preexisting landscape buffer that currently shields the neighborhood to the north.*



Another aerial 3D shot of the new building's proposed location.



Alternate location along Route 12 which would leave the preexisting landscape buffer mostly intact.

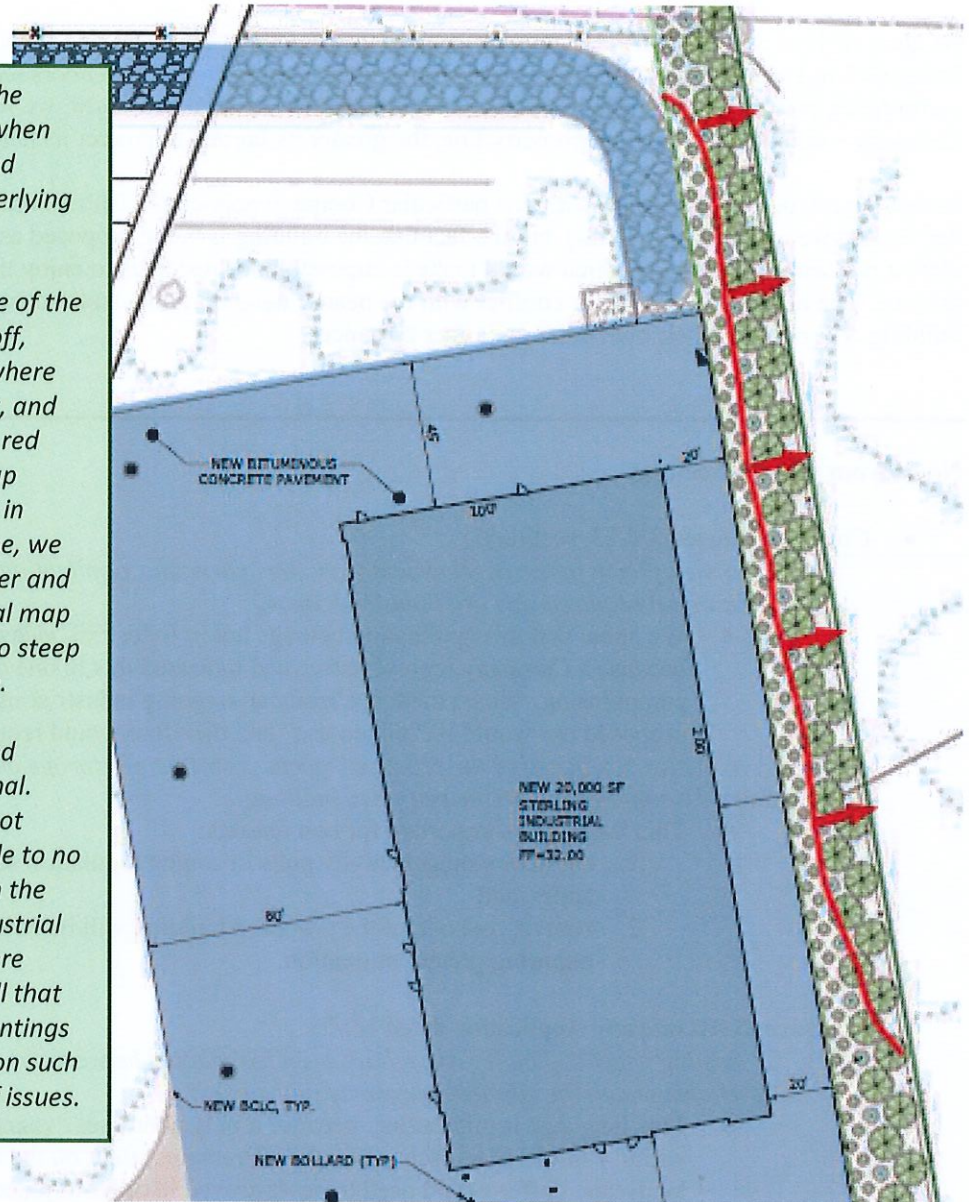




*We did discover one error in the Company's layout drawings, when we superimposed the proposed landscaping plan onto its underlying topography.*

*At the very northernmost edge of the property, there is a sharp falloff, which begins approximately where the red line shows to the right, and falls off in the direction of the red arrows. The topographical map shows roughly a 10' drop, but in walking along the property line, we believe that the falloff is deeper and steeper than the topographical map would indicate. The falloff is so steep that it's not safely traversable.*

*This falloff makes the proposed landscaping plan non-functional. Even if not for this falloff, 6-foot arborvitaes would provide little to no sound or visibility barrier from the building or the rest of the industrial property. The falloff shown here simply makes that situation all that much worse, because new plantings would likely not even survive on such a slope, not to mention runoff issues.*



## FROM THE APPLICATION AND OUR ZONING REGULATIONS

As an overview, we would also like to refer back to this statement from earlier ... “Doesn’t the Company’s choice to locate GFI in Gales Ferry bring with it more responsibility to care for its neighbors than would be required if surrounding properties were heavily industrial/commercial?” In that same spirit, we would argue that the closer the Company’s operations come to a property line, the greater its burden to protect its neighbors.

In that regard, our main concern with this particular Company application isn’t so much the operation itself (to the degree that we understand it so far), but the fact that the building is being proposed as close as possible to its very closest residential neighbors, which would make it impossible for residents to enjoy their properties as they have in the past. The building will visually conflict with the nearby neighborhood, and routine activities in and around the building will generate their own noise and other nuisances.

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### Notes from the Application:

- Cover letter dated 3/8/23, section (i):
  - *... in the opinion of the development team, this particular application does not satisfy the general definitional requirements of “industrial, heavy” ...*
    - We agree that this application belongs not in Industrial, Heavy but in Mixed Use, in part because a Company representative had indicated this in one of our CALU meetings, paraphrasing, “Since there is already an ongoing industrial use on the GFI site, any new proposed use would be “mixed use” and therefore would require a Special Permit.”
  - *... activities conducted at the proposed marine contracting storage and repair facility may not, at all times, be confined within the proposed building ...*
    - This language is important for two reasons:
      1. Outdoor storage/activity pulls in zoning regulation sections that would not otherwise apply, and
      2. Activity outside of the proposed building will be noisier than that performed inside, requiring greater mitigation.
- Narrative to Accompany Application dated 3/7/23:
  - *... existing vegetated buffer areas have been maintained between the area of the proposed industrial development and the adjoining property to the north.*
    - This language is misleading, because it only addresses “vegetated buffer areas” proposed within a minimal setback area, while it remains silent on the fact that a 250-300’ preexisting landscape buffer would need to be destroyed in order to place this new building in its proposed location.
  - *... setback, landscaping, and buffering treatments incorporated into the Site Development Plan ... will mitigate any perceived adverse impacts to adjoining properties to the north.*
    - With this point we completely disagree, especially since the closest residence would be little more than 50 feet away from the newly proposed building location. Any reasonable person can see that adverse impacts would be real (not simply “perceived”) and that the mitigation being proposed would barely have an impact.

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**Notes from our Zoning Regulations:**

**CHAPTER 9: SITE DEVELOPMENT STANDARDS**

**9.2 SUSTAINABLE DEVELOPMENT**

*C. Performance Standards: Uses shall be designed to minimize any injury or nuisance to nearby premises by reason of noise, vibration ... glare, and other physical impacts that may be caused by the use.*

*The following performance standards shall apply to all uses of land subject to Chapter 9 of these Regulations.*

- 1. No dust, dirt, fly ash or smoke shall be emitted into the air so as to endanger the public health, safety, or general welfare, or to decrease the value or enjoyment of other property...*
- 2. No offensive odors or noxious, toxic, or corrosive fumes or gases shall be emitted into the air.*
- 3. With the exception of time signals and emergency signals and noise necessarily involved in the construction or demolition of buildings or other structures, no noise which is unreasonable in volume, intermittence, frequency or shrillness shall be transmitted beyond the boundaries of the lot on which it originates.*
- 4. With the exception of vibration necessarily involved in the construction or demolition of buildings or other structures, no vibration shall be transmitted beyond the boundaries of the lot on which it originates.*
  - This section is an example where proximity to property lines is pertinent. Taken to the letter, it says that no dust, smoke, vibration, unreasonable noise, etc. is allowed beyond the property boundaries (excepting time, safety, and construction noise). We would need more information regarding operations in and around this new building in order to calibrate our degree of concern, but initial concerns would include noise, appearance (including light), and possibly smoke/odors/dust from heavy machinery and/or repair equipment.

**9.3 LANDSCAPE DESIGN STANDARDS AND REQUIREMENTS**

*A. Purpose: ... these landscaping design standards are intended to reduce excessive heat, glare, and accumulation of dust; provide privacy from noise and visual intrusion; prevent the excessive runoff of storm water and erosion of soil; and preserve or improve the quality of the environment and attractiveness of the Town of Ledyard.*

- The proposed building location and its attendant landscaping plan would not be adequate protection from “noise and visual intrusion”, nor could it be seen to adequately “preserve or improve the quality of the environment and attractiveness of the Town of Ledyard.”

**B. General Requirements:**

- 3. To the extent possible, existing trees, vegetation ... shall be retained and protected.*
- 5. The retention of existing topography and vegetation in the buffer areas is preferable to regrading and new plantings ...*
  - The current application does not comply with sections 3. and 5. since the proposal includes the destruction of a considerable number of existing trees and vegetation, to be replaced with new plantings which, as discussed above, would not satisfy this requirement.

*C. Perimeter Landscape Area Requirements: ... The landscaped areas shall be ... designed to provide a visual landscaped buffer between adjacent properties and to enhance the aesthetic appearance of the district.*

- The proposed landscape buffer would not “provide a visual landscaped buffer” nor “enhance the aesthetic appearance of the district.”

*D. Landscape Buffer Requirements: When a Site Plan or Special Permit application is submitted for the establishment of a new non-residential use, and the parcel is located within, or abutted by any Residential*

*Zoning District ... a landscaped buffer no less than twenty-five (25) feet in width shall be provided along all such abutting portions of the perimeter. Such buffers shall be designed to provide appropriate screening to minimize any potential negative impacts of noise, light, dust, vibrations, hours of operation, and substantially dissimilar aesthetics.*

- The proposed building location and landscape buffer will not acceptably minimize the potentially negative impacts listed in this section.
- Specifically related to hours of operation, we found no language in our zoning regulations covering hours of operation in an Industrial District, although there was a reference made elsewhere that our P&Z could impose restrictions as part of their Special Permit approval. We'd ask that this be clarified during this public hearing process, with appropriate hours-of-operation restrictions inserted into the Permit.

*E. Outdoor storage areas associated with motor vehicle repair facilities and similar repair facilities shall be fully screened from view from any road or access way, and/or any neighboring building/structure including parking areas. Screening shall include a mixture of landscaping (including evergreens) and hardscape meeting the intent of §9.3. Fencing alone shall not be used for screening.*

- The Company's application states that "*activities conducted at the proposed marine contracting storage and repair facility may not, at all times, be confined within the proposed building*". This proposed building area falls under the definition of a "similar repair facility" and therefore the outdoor storage "*shall be fully screened from view from any road ... and/or any neighboring building/structure.*" Taken to the letter, this means that the Company's outdoor storage area must be fully screened from Rt. 12 and all nearby homes.

## **9.7 OUTDOOR STORAGE**

### **B. Location:**

*3. ... outdoor storage areas shall be screened so as not to be visible from any street in accordance with applicable provisions of §9.3.*

### **C. Industrial (I) and Commercial Industrial Park (CIP) Districts**

*1. All areas for outdoor storage of equipment (including vehicles) or materials shall be located to the rear of the principal building and shall be screened so as not to be visible from any street or abutting properties.*

- Language about outdoor storage of equipment is reiterated in this section. As stated above, our zoning language indicates that equipment and materials stored outdoors "*shall be screened so as not to be visible from any street or abutting properties.*" We do not believe this will be possible.

## **9.9 ARCHITECTURAL CHARACTER, AND HISTORIC AND LANDSCAPE PRESERVATION**

*9.9.1 General Provisions: The overall character of the proposed site layout and the architectural character of proposed structures shall be designed, to the extent feasible, to protect property values in the neighborhood and the Town ...*

### **9.9.2 Encouraged Materials and Practices:**

*A. Materials, texture, and color used on the exterior walls and roof should emphasize the use of natural materials or should be those associated with traditional New England architecture. Preferred façade materials are brick, stone, and wood, including narrow-width siding, clapboards, wood shingles, or a reasonable equivalent. Metal, unfinished concrete, and concrete block, as well as asphalt siding, are discouraged.*

*C. Large structures should have well-articulated façades to reduce the appearance of significant bulk.*

- The Company's proposed new building seems to ignore this section's intent entirely.

## **9.10 OUTDOOR ILLUMINATION**

*A. Purpose: The purpose of this §9.10 is to encourage lighting practices and systems that minimize the degradation of the night-time visual environment, thereby maintaining night-time safety and security while preventing glare, light trespass and light pollution.*

### C. Lighting Design Requirements

1. All exterior lighting systems shall be designed, installed and maintained in such a manner as to minimize or substantially reduce disability glare at any location on or off the property; and to minimize or substantially reduce light trespass beyond the property lot line, minimize sky illumination, and present an overall appearance appropriate to the rural/suburban setting.

6. Lighting fixtures shall be full cut-off and shall be located, aimed, and shielded to minimize the glare that is emitted on objects other than a building's façade or landscape walls.

7. All lighting not essential for security purposes shall be turned off after hours. Exterior lighting should be off when sufficient daylight is available and when the lighting is not required during nighttime hours.

9. Fixtures shall be designed and mounted such that neither the light source nor the lens are visible from above a height of five (5) feet at the property lot line. Luminaires with sag lens or drop lens shall be shielded.

- It appears that the Company has taken this zoning regulations section into consideration, using full cut-off fixtures, aimed appropriately, etc. If the Company complies with paragraph 9.10 and mounts fixtures such that “neither the light source nor the lens are visible from above a height of five (5) feet at the property lot line”, then neighbors should be adequately protected from direct light pollution, although we remain concerned about sky illumination. And of course, hours of operation and off-hours lighting times need to be clarified.

## CHAPTER 11: APPLICATIONS REQUIRING COMMISSION APPROVAL

### 11.2 SITE PLAN APPLICATION

#### 11.2.4 Considerations:

A. On a Site Plan application involving an activity regulated pursuant to CGS §22a-36 to § 22a-45, inclusive, the Commission shall:

- wait to render its decision until the Inland Wetlands and Watercourses Commission (IWWC) has submitted a report with its final decision; and
- give due consideration to any report of the IWWC when making its decision.

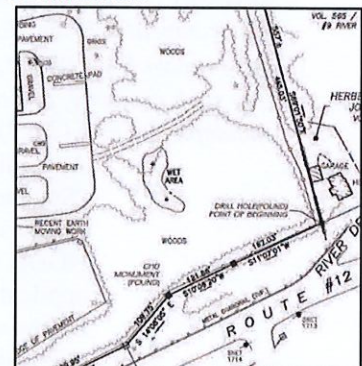
### 11.3 SPECIAL PERMIT APPLICATION

#### 11.3.3 Proceedings:

B. If a Special Permit application involves an activity regulated pursuant to CGS §22a-36 to § 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands and Watercourses Commission (IWWC) not later than the day such application is filed with the Commission.

F. Notwithstanding the provisions of this section, if an application involves an activity regulated pursuant to CGS §22a-36 to §22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty fifth (35th) day after a decision by the IWWC, the time period for a decision shall be extended to thirty-five (35) days after the decision of the IWWC.

- Relating to sections 11.2 and 11.3, it is our understanding that the Company has not yet presented or applied to IWWC for this project. There is a small “Wet Area” designated on the Company’s Property Survey that would appear to be impacted by this proposed building location.



#### 11.3.4 Special Permit Criteria: ... the applicant shall have the burden to prove:

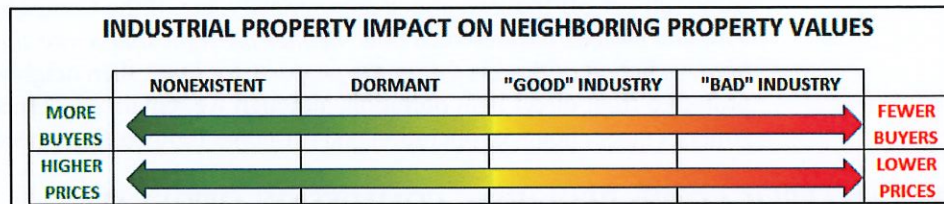
C. ... that the proposed uses and structures ... would not be noxious, offensive, or detrimental to the area by reason of odors, fumes, dust, noise, vibrations, appearance, or other similar reasons ...

- The Company certainly cannot satisfy the “burden of proof” that this proposed building and location “would not be ... offensive, or detrimental to the area by reason of ... appearance.”

Other mentioned nuisances like noise, dust, vibrations, etc. cannot be known with the same degree of certainty in advance.

**D. ... that no adverse effect would result to the property values ... of the immediate neighborhood ...**

- CALU reached out to several property appraisal companies to obtain a report supporting our opinion that nearby property values would certainly be adversely affected by this new industrial building's proposed location. The consensus from those appraisers was that such a thing is not "provable", per se. They said that there are too many relative variables ... size of the building, exact function of the building, size of the industrial property, size of the town in population and density, size of the town geographically, exact proximity to neighbors, type of neighborhood, state of the economy, state of real estate markets, etc. ... that could never be matched exactly in order to reach a definitive conclusion about property values.
- They stated that this is not an argument of fact, but instead one of rationality and reasonableness, and that essentially it all boils down to the age-old laws of supply and demand. One appraiser suggested that we submit an illustration like the one below:



His contention was that if an industrial property undergoes changes such that fewer buyers would be interested in living nearby, then those nearby property values will, on average, without question, be reduced.

- One of our goals in working with the Company during these hearings is to maintain the existing "supply and demand" picture of nearby neighborhoods, thereby protecting our property values. The Company's proposed new building location would not do that.

**E. ... that the character of the immediate neighborhood would be preserved in terms of scale, density, intensity of use ...**

- This new building, at its proposed location, would surely change "the character of the immediate neighborhood ... in terms of scale, density, intensity of use ..."

#### 11.6.10 Notification of DEEP:

**A. If any portion of the property which is the subject of an application is located within an area designated as "State and Federal Listed Species & Significant Natural Communities" on the most current Natural Diversity Data Base Areas map for Ledyard prepared by the Connecticut Department of Energy and Environmental Protection (DEEP), the applicant must notify DEEP of the application.**

**B. A report from DEEP shall be a required for any application for Site Plan approval or a Zoning Permit for any such property, and any such application submitted without a DEEP report shall be considered incomplete (see §11.6.3).**

- According to maps from CT DEEP, the GFI property includes NDDDB areas designated as "State and Federal Listed Species & Significant Natural Communities", including the Thames coastline and Allyn Pond. Therefore, the Company is required to include a DEEP NDDDB report as part of their application, which we don't believe was done and therefore the application as submitted is not yet complete.
- Below are links to the CT DEEP NDDDB maps:
  - <https://ct-deep-gis-open-data-website-ctdeep.hub.arcgis.com/datasets/natural-diversity-database/explore?location=41.438426%2C-72.072386%2C14.98>
  - <https://www.depdata.ct.gov/naturalresources/endangeredspeciesmaps/nd072.pdf>

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**Known Future Use That Relates to This Proposal:**

During the 3/9/23 P&Z Commission meeting, Mr. Whitescarver mentioned that there had been public concern over the prior six months about what the Company intended to do with the GFI site, and asked if that had all changed. (The public concern was about plans to process dredge spoils on the GFI property.) The Company responded to Mr. Whitescarver’s question consistently with what they have told CALU, which is that “it hasn’t changed, it’s in abeyance”.



The reason that this is especially pertinent to this Company application is that the last known location for processed dredged material (PDM) stockpiles was to be located in the same general area as the “STERLING / CDMC LAYDOWN AREA” shown to the right (taken from the Company’s conceptual plan presented to P&Z on 2/9/23). If this application’s new building is located as shown, thereby requiring the destruction of a 250-300’ preexisting landscape buffer, it would significantly elevate our community’s concerns about, in particular, future fugitive dust from those PDM stockpiles. We consider this just one more reason to retain all or at least a significant portion of the preexisting landscape buffer.

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**Monitoring and Reporting:**

Before closing, we would like to insert the topic of monitoring and reporting into our discussions, relating to noise and possibly to other future nuisances as well (like dust).

Regarding noise specifically, our understanding is that our town has no noise ordinances and that state regulations would therefore apply. Related to this, the Company has previously communicated to us that:

- “Control of Noise is covered by RCSA 22a-69-1 through 22a-69-7.4. Class C to Class A noise zone limits are 61 dbA daytime and 51 DBA nighttime. There are additional limits for different noise producers”, and
- “GFI will meet or exceed the requirements in the state regulations.”

If the Company’s application (once revised to comply with all zoning regulations) is ultimately approved, we request that P&Z insert language into this Special Permit mandating compliance with all federal, state, and local standards for noise control. We would also request language providing for random, on-site inspections and taking of readings as deemed necessary to ensure compliance, and that the Company recognize our local government as having enforcement power relating to these noise regulations.

**CONCLUSION:**

As indicated above, a myriad of zoning regulations would be violated by the Company’s proposed new building location, and therefore P&Z should not approve this application as submitted.

We would ask that the Company consider (or be required to find) an alternate location for this and future buildings, such that the decades-old preexisting landscape buffer will be retained in perpetuity, thereby protecting abutting and nearby neighborhoods. If a complete relocation of this building is not possible, then we would ask that a reasonable setback be offered, like the 150-foot setback that is being granted by the Norwich developer mentioned in the New London Day article referenced above.

Thank you for taking the time to review this material and for your consideration.

