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Land Use Department

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July 2, 2026

Town of Ledyard Planning and Zoning Commission
Attn: Ms. Elizabeth Burdick, Director of Planning
741 Colonel Ledyard Highway
Ledyard, CT 06339

Re: Application of Avery Brook Homes, LLC for the modification of a resubdivision of a portion of an approved affordable housing resubdivision (C.G.S. §8-30g) modifying Lots 1, 2, 3, 4, the area to be conveyed to the Town of Ledyard for stormwater management purposes and the most southerly 230 feet of Avery Court to comply with Department of Transportation Requirements on properties located at 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut

Dear Ms. Burdick:

As you are aware, this office represents Avery Brook Homes, LLC, the owner of properties located at 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut. The Town of Ledyard Planning and Zoning Commission has previously approved a 14 lot resubdivision of our client's property as an affordable housing subdivision pursuant to the provisions of §8-30g of the Connecticut General Statutes which approval was modified by a stipulation to judgment in an appeal of the decision of the Ledyard Planning and Zoning Commission promulgated by Groton Utilities against the Ledyard Planning and Zoning Commission. As you are aware, the administrative and judicial proceedings with respect to the development of the Avery Brook Homes Subdivision spanned several years. At the time that the original resubdivision was formulated, a determination was made as to the required intersection sight distance at the intersection of Avery Court with Stoddards Wharf Road A.K.A. Connecticut Route 214 based upon the then most current 85th percentile speed of traffic traveling eastbound and westbound on Stoddards Wharf Road. Since the date of the initial traffic study, several years have elapsed. During the administration of the resubdivision application before the Ledyard Planning and Zoning Commission, and thereafter, the defense of the appeal taken by Groton Utilities to the Superior Court, more current 85th percentile speed characteristics were developed by the State of Connecticut Department of Transportation. The results of the more current statistics evidence the fact that the available sight line at the intersection of the approved location of Avery Court with Stoddards Wharf Road does not satisfy the current minimum requirements of the Department of Transportation. The Department of Transportation has therefore required the relocation of Avery Court approximately 50 feet further to the east (the "Relocation").

As a result of the Relocation, it has been necessary to redesign the southern most 230 feet of Avery Court resulting in the reconfiguration of Lots 1, 2, 3, 4 and the area to be conveyed to the Town of Ledyard for stormwater management purposes as depicted on the approved resubdivision plan. As evidenced by the plan being submitted with this resubdivision modification application, the location of no septic system on any of the four (4) lots being modified changes as a result of the required geometric relocation of Avery Court. In addition, the location of the proposed dwelling houses on Lots 1, 3 and 4 are in the identical location as that portrayed on the lot development plan for the currently approved resubdivision. The location of the proposed dwelling house on Lot 2 is essentially in the same location, but in a slightly different orientation in order to accommodate the relocation of Avery Court. We are therefore submitting an application for modification of the resubdivision of Lots 1, 2, 3, 4, the proposed stormwater management area to be conveyed to the Town of Ledyard and the most southerly 230 feet of Avery Court to accommodate the requirement of the State of Connecticut Department of Transportation for minimum sight line at the intersection of Avery Court and Stoddards Wharf Road.

Submitted herewith and constituting the application for modification of the resubdivision approval pursuant to the provisions of the Affordable Housing Act are the following:

1. Original and four (4) copies of the Town of Ledyard Application for the Resubdivision Modification of Land.
2. Original and four (4) copies of the Subdivision/Resubdivision Checklist for this modification.
3. Authorization signed by Avery Brook Homes, LLC authorizing the law firm of Heller, Heller, Heller & McCoy and the land surveying – planning firm of Dieter & Gardner, Inc. to represent its interests in all proceedings before the Town of Ledyard Planning and Zoning Commission with respect to this resubdivision modification application.
4. Five (5) copies of the revised Affordability Plan for the project prepared pursuant to the requirements of Section 8-30g of the Connecticut General Statutes and the regulations promulgated thereunder. The changes to the Affordability Plan are technical only, including the recalculation of the affordability criteria based on fiscal year 2026 statistics which have become available since the March, 2026 revision and which was approved as a component of the settlement of the litigation with Groton Utilities. I am therefore forwarding the Affordability Plan in red-lined format, red-lined against the Affordability Plan which was approved as part of the settlement in order for the Commission members to readily identify the technical changes which were made to the Plan.
5. A copy of our correspondence dated of even date herewith to Groton Utilities since the property proposed for resubdivision modification is located within the limits of the City

of Groton Utilities watershed.

6. A copy of our correspondence dated of even date herewith to the Commissioner of Public Health of the State of Connecticut due to the fact that the property which is the subject of the resubdivision modification application is located within the City of Groton Utilities watershed.
7. Five (5) prints of the resubdivision modification plan entitled “Plan Showing Affordable Housing Development Per C.G.S §8-30g Resubdivision Modification Property of Avery Brook Homes LLC Portions of 96, 98 & 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Parcel ID: 65-2360-96/98/100 Ledyard, Connecticut Scale: 1” = 40’ June 2026 Sheets 1 of 8 to 8 of 8 Dieter & Gardner Land Surveyors – Planners 1641 Connecticut Route 12 P.O. Box 335 Gales Ferry, CT 06335 (860) 464-7455 Email: dieter.gardner@yahoo.com”.
8. As previously noted, the septic system locations on Lots 1 – 4 are in the identical location as depicted on the approved resubdivision plan. Therefore, no new review is required by Ledge Light Health District.
9. Five (5) copies of the “Traffic Impact Study 94, 96, 98 and 100 Stoddards Wharf Road Ledyard, Connecticut Prepared For: Avery Brook Homes LLC Prepared By: KWH Enterprise, LLC August 2022” that was previously submitted in conjunction with the resubdivision that was approved by the Ledyard Planning and Zoning Commission.
10. Five (5) copies of a Warranty Deed from Amer Javed to Avery Brook Homes, LLC a/k/a Avery Brook Homes LLC thereby vesting title to the real property which is the subject of (i) this affordable housing resubdivision modification application and (ii) the remainder of the property which was the subject of the June, 2025 approved resubdivision applications in Avery Brook Homes, LLC a/k/a Avery Brook Homes LLC, the original of which deed is filed for record in Volume 620, Page 92 of the Ledyard Land Records; as the same has been modified pursuant to the provisions of a Boundary Line Agreement recorded in Volume 642, Page 537 of the Ledyard Land Records, five (5) copies of which are also submitted herewith.
11. A list of limited liability company members of Avery Brook Homes, LLC authorized to act.
12. A draft of the proposed Warranty Deed conveying title to that area shown and designated as “To Be Conveyed To The Town Of Ledyard (Cross Hatched Area) Area = 4,945 Sq. Ft. 0.11 Acres” as depicted on the resubdivision modification plan to the Town of Ledyard. This parcel will be granted to the Town of Ledyard and accepted by the Town of Ledyard once all infrastructure improvements contemplated for development on said parcel by the resubdivision plan, as modified, including, but not

limited to, the bioretention basin, have been completed in accordance with the approved resubdivision plans.

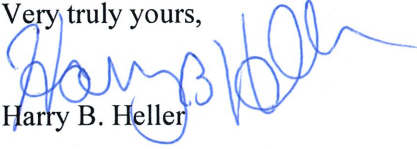
13. A revised draft of the Warranty Deed to be granted to the Town of Ledyard for the conveyance of Avery Court to the Town of Ledyard.
14. A check in the amount of \$360.00 representing payment of the filing fee for the resubdivision application calculated as follows:

Base fee (up to three lots)	\$250.00
One excess lots @ \$50.00 per lot	\$50.00
State fee	\$60.00
Total	\$360.00

Request is hereby made that you place this matter on the agenda of the regularly scheduled meeting of the Town of Ledyard Planning and Zoning Commission of July 9, 2026.

Should you have any questions concerning the application, or need anything further at this time, please feel free to contact the undersigned.

Very truly yours,


Harry B. Heller

HBH/rmb
Enclosures