



TOWN OF LEDYARD

Department of Land Use and Planning

Hannah Middleton-Gienau, Zoning and Wetlands Official

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MEMORANDUM FOR THE RECORD

APPLICATION #IWWC26-17SITE

REGULAR MEETING – TUESDAY, August 4, 2026

Prepared by Hannah Middleton- Gienau, Zoning and Wetlands Official on 08/03/26

Agent/Applicant(s):	Town of Ledyard (Applicant)
Property Owner(s):	Mark Horbay, Gales Ferry CT, 06335
Project Address:	6 Winthrop Rd (Map ID: 91/2720/6) Gales Ferry, CT 06335
Meeting Date:	August 4, 2026
Date Received by IWWC:	July 7, 2026
Legal:	Date submitted 6/11/26, Date of Receipt 7/7/26, DRD 9/9/26

Applicant/Owner Requests: Regulated Activities include remediation and restoration of a severely eroded drainage ditch that conveys stormwater from a Town drainage system that is expanding towards a residential home.

Property Info:

Zone District: R-20

Lot-Area: Total lot area 1.15 AC

Total Wetlands: Total wetlands area according to the Applicant 2500SF

Flood Hazard Zone: Zone A (FEMA FIRMID#0911C0362J).

Regulated Activity Description:

Wetland/Watercourse Disturbance Area	5000 SF +/-
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Staff Comments:

Please be advised the following comments with regard to my review of the Application and supporting documents.

Regulated Activities (Wetlands & Intermittent Watercourse): The proposed permit consists of remediation of an existing drainage ditch that conveys stormwater from a Town drainage system. The drainage ditch has a discharge point starting at 2 Military Highway and continues across 6 Winthrop Rd. as depicted on the original approved subdivision plan entitled "Plan Showing Clark Cove Subdivision Detail Lot Layout, Property of Nathan B. Weiss Winthrop Road and Chapman Lane Ledyard, March 1996, Revised May 30, 1996, Sheet 2 of 3". It can be shown that the approved plan did not reflect the As-built of the home once construction was completed. The home was built approximately 40ft closer to the existing drainage ditch. The drainage ditch was not properly armored against the progression of stormwater runoff and has led to severe erosion and expansion of the drainage ditch that is eroding closer to the

residential home on the lot the ditch drains through. The application will consist of filling in the ditch as necessary and restoring the ditch to original grade with armored stone that is appropriately sized to stabilize.

Soil Erosion & Sediment Controls: Work will be conducted in the dry months with mitigation measures used as needed to reduce siltation or sedimentation accumulating downstream. Clearing and grubbing will be done as needed to restore the drainage ditch during construction.

Commission Actions: The Commission will need to:

1.
 - a. Make a finding as to whether or not the proposed activities are significant impact activities Class "B" (not significant impact) or "C" (significant impact) as defined by the Regulations (see *definition of Significant Impact Activity* below);
- OR**
- b. If it is found to be a Class "B" not significant impact activity or, in the alternative, set a public hearing for the application if it is found to be a Class "C" significant impact activity.

Staff recommends the Commission shall make a finding of whether the proposed regulated activities meet the definition of a significant impact activity, per IWWC Regs Section 2 (*Terms and Definitions*) as follows:

"Significant impact" means any activity, including, but not limited to, the following activities which may have a major effect as determined by the IWWC.

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or water course or on wetlands or water courses outside the area for which the activity is proposed.
2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a water course system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or water course to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or water course.
5. Any activity which causes substantial diminution of flow of a natural water course or groundwater levels of the wetland or water course.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or water course.
7. Any activity which damages or destroys unique wetland or water course areas or such areas

having demonstrable scientific or educational value.

Staff Recommendation: Staff suggests the activities are not significant impact.

CONSIDERATIONS FOR ACTION:

1. If the Commission believes the proposed regulated activities do not meet the criteria of significant impact, the following Motion is suggested:

MOTION #1 (Finding that the proposed activities are not Significant Impact Activities)

a. I make a MOTION that the Commission find that the proposed regulated activities within the watercourse/waterbody as submitted in the Application IWWC#26-17, plans and all supporting documents, do not meet any of the criteria of significant impact activities as defined the Town of Ledyard Inland Wetlands & Watercourses Regulations per IWWC Regs Section 2 and therefore are Class "B" activities.

OR

2. If the Commission believes the proposed regulated activities meet the criteria of significant impact, the following Motion is suggested:

MOTION #1 (Finding that the Proposed activities are Significant Impact Activities)

***b. I make a MOTION that the Commission find that the proposed regulated activities within the watercourse/waterbody as submitted in Application IWWC#26-17, its plans and all supporting documents, meet the criteria of significant impact activities as defined the Town of Ledyard Inland Wetlands & Watercourses Regulations per IWWC Regs Section 2 (Terms and Definitions) as follows:
LIST SECTIONS HERE:***

M O T I O N # 2 (A Motion to Approve)-Regulated Activities

After giving due consideration to all relevant factors, including those in Section 6 of the Ledyard Inland Wetland Regulations and Section 22a-40 of the Connecticut General Statutes, I move to APPROVE Application #IWWC26-17SITE, submitted by the Applicant / Agent, Town of Ledyard, Mark Horbay, Owner for regulated activities for remediation and restoration of a severely eroded drainage ditch that conveys stormwater from a Town drainage system that is expanding towards a residential home & associated site improvements as more fully described in the application & supporting documents, dated July 11, 2026.

1. Soil erosion and sediment controls shall be installed prior to the start of work and maintained in good working order until any disturbed soils are permanently stabilized with vegetative cover.

2. Prior to the start of any work at the site, the Ledyard Wetlands Enforcement Officer shall be notified and shall conduct an inspection to verify soil erosion, and sediment controls have been properly installed prior to the start of work.

3. Any future proposed changes to the proposed site plan submitted as part of this application shall be reviewed and approved by the Wetlands Official and/or the IWWC.

If the Commission is inclined to deny the Application, it must state their reasons for the record.