



TOWN OF LEDYARD

Department of Land Use and Planning

Elizabeth J. Burdick, Director

741 Colonel Ledyard Highway, Ledyard, CT 06339

Telephone: (860) 464-3215, Fax: (860) 464-0098

Email: planner@ledyardct.org

STAFF MEMORANDUM FOR THE RECORD #1
RELATIVE TO IWWC RESUBMITTAL REQUESTS FROM PUBLIC

APPLICATION PZ#24-5SITE & 24-6CAM

PUBLIC HEARING & REGULAR MEETING – THURSDAY, SEPT. 12, 2024

Prepared by Liz Burdick, Director of Land Use & Planning on 8/6/24

Application:	PZ#24-SUP24-9CAM – Special Use Permit (SUP) and Coastal Area Management Site Plan Review to modify an existing SUP/Coastal Site Plan for a Mixed-Use (Commercial/Industrial) Development for the addition of an Excavation Operation, Major.
Property Address(es):	1737 & 1761 Route 12 (Parcel IDs: 61-2120-1737 & 1761), Gales Ferry, CT
Applicant(s):	Gales Ferry Intermodal, LLC
Property Owner(s):	Gales Ferry Intermodal, LLC
Owner Address(es)	549 South Street, Quincy, MA 02169
Attorney:	Harry Heller, Esq., Heller, Heller & McCoy
Land Surveyor/Engineer:	George Andrews, Jr., P.E. Loureiro Engineering Associates, Inc.
Lot Size:	165-acres
Lot Frontage:	3700-Feet on CT Route 12
Zoning District:	Industrial (I)
Wetlands/Watercourses:	Yes on-site.
Flood Hazard Zone:	Yes. The site is located in Zone AE (EL12) and Zone X.
CAM Zone:	Yes. Application was referred to DEEP LWRD on 7/10/24
ADJACENT MUNICIPALITY:	Yes. Application was referred to Town of Montville via certified mail on 7/10/24.
Public Water Supply Watershed:	No.
Proposed Public Improvements:	No.
Legal:	<i>(Submitted 07-09-24, Date of Receipt 07-11-24, PH set for 9-12-24, PH must close by 10-16-24, DRD 65-days from close PH).</i>

The above application was submitted on 7/9/24 and since that time multiple members of the public that include Ledyard/Gales Ferry residents have requested either verbally or in writing that the Town require the Applicant in the above-referenced application to submit a new application to the Ledyard Inland Wetlands & Watercourses for regulated activities associated with the project.

IWWC history:

An application was submitted to the IWWC for regulated activities associated with this project and a permit was approved on July 12, 2023 with the following conditions:

1. In the event that the monitoring of the created wetland indicates a diminution or failure, the applicant will provide a plan to remedy within sixty (60) days, and act on the plan.
2. Mitigation must be completed before the completion of Phase I.

The permit is valid through July 12, 2028. Notice of the approval was published in the Day newspaper on July 13, 2024. There was no appeal of the decision.

Determination of any new permit requirements for the project:

First, it should be noted that the IWWC does not approve applications, but issues permits for regulated activities.

In making a recommendation whether a project that has already received a permit for regulated activities needs a new or modified IWWC permit for an application submitted to the PZC following issuance of said IWWC permit, staff must compare the current plans to the previous plans to determine any changes. For this project, I obtained the services of a Certified Soil Scientist, Robert C. Russo, C.S.S. of CLA Engineers, Inc. to conduct the evaluation.

In a letter dated August 3, 2024, received by me on 8/5/24 (copy attached), Mr. Russo, after reviewing Application IWWC#23-2URA and the current Application PZ#24-SUP24-9CAM, as cited in his letter, stated "Based on our review of the materials for both applications, CLA believes the current application before the Ledyard PZC is not materially different in terms of proposed or potential wetland impacts from the previous Inland Wetlands Commission approval of 2023 and no new application to the IWWC is warranted."

Staff recommendation:

Based on Mr. Russo's review, I recommend that no new application to the IWWC is necessary and the permit for regulated activities associated with the project approved on July 12, 2023 remains in full force and affect.

C: Robert Russo, C.S.S., CLA Engineers, Inc.
Harry Heller, Esq., Heller, Heller & McCoy for the Applicant, GFI, LLC
George Andrews, Jr., P.E. Loureiro Engineering Associates, Inc.
Justin T. DeBrod, Chairman, Ledyard IWWC
Tony Capon, Chairman, Ledyard PZC
Robert Avena, Esq., Suisman Shapiro
Alex Samalot, Zoning & Wetlands Official
Anna Wynn, Land Use Assistant
Eimy Quispe, DEEP LWRD
Application File (Paper & Electronic)