



TOWN OF LEDYARD

Department of Land Use and Planning

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MEMORANDUM FOR THE RECORD

APPLICATION #IWWC26-18SREUB

REGULAR MEETING – TUESDAY, August 4, 2026

Prepared by Hannah Gienau, Zoning and Wetlands Official on 07/27/26

Agent/Applicant(s): Peter C. Gardner (Agent) & R+H Holding Company (Applicant)
Property Owner(s): Spencer Bay Proprieties, LLC
Project Address: 12 Hyde Park Dr. & 975 Long Cove Rd, Gales Ferry CT, 06335
Meeting Date: August 4, 2026
Date Received by IWWC: July 7, 2026

Applicant/Owner Requests: Permit for regulated activities for a 14-Lot Resubdivision and associated site improvements, including construction of a new public road, stormwater drainage system, and a wetland crossing through a wetland/intermittent watercourse.

Property Info:

Zone District: R40

Total-Area: 35.11 Acres

Total Wetlands: Per the Applicant, 10.7 Acres.

Public Water Supply Watershed: No.

Flood Hazard Zone: X (FIRM ID:09011C0362J)

Referrals:

Town Engineer: Referred 07/07/26. Comments Received 7/22/26. (FD#9)

Town Planner: Referred 07/07/26.

Fire Marshal: Referred 07/07/26.

Building Official: Referred 07/07/26.

LLHD: Referred 07/07/26. Comments Received 8/3/26. (FD#10)

Tax Assessor: Referred 07/07/26.

SQWA: Referred 07/07/26.

Regulated Activity Description:

Wetland & Watercourse/Waterbody Disturbance Area-	2500 SF +/- (Per Applicant)
Upland Review Disturbance Area	270,000 +/- (Per Applicant)

Staff Comments:

Please be advised of the following comments with regard to my review of the application, supporting documents, and plan set entitled "Plan Showing Kineo Estates Conservation

1.) Regulated Activities (Wetlands & Intermittent Watercourse):

According to the applicant, the current proposal is to resubdivide the parcel into 14 lots. Regulated activities within the wetland and/or intermittent watercourse will include installing a wetland crossing with a 36" HDEP Pipe culvert with a Rip Rap Scour pad outlet and construction of a new public road including stormwater management systems, utilities, and watermain extension. Temporary disturbance within the wetland and/or intermittent watercourse will include installation of soil erosion and sediment controls and minimal grading for construction of the new public road. According to the Applicant total wetland disturbance is 2500SF +/-.

Wetlands report (see FD#3). The report of Ian Cole, Professional Soil & Wetlands Scientist, dated March 15, 2026, states in relevant parts:

1. The proposed activities are not likely to have a significant effect on the environment for the following reasons:
 1. The proposed activities have reduced the direct disturbance to wetlands and as such the project does not substantially change or negative impact inhibits the natural dynamics or the natural capacity of the wetland system(s)
 2. The Erosion & Sediment Controls will protect the environment from the proposed activities and if appropriately, installed, monitored and maintained will not likely cause or have the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
 3. The proposed Stormwater treatment system will collect and renovate stormwater quality and volume generated from the site development and therefore is unlikely to cause to have the potential to cause pollution of the wetland. Additionally, the project is providing a local and state compliant sewage treatment system which by approval is required to meet or exceeds health code requirements which will further eliminate pollution.
 4. The wetland features are not unique, nor do they provide demonstratable scientific or educational value.
 5. The erosion and sediment controls will protect the environment from the proposed activities and if appropriately installed, monitored and maintained will not likely cause or have the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
- 4.) "In my professional opinion there will be no significant adverse impacts resulting from the development of the project as currently proposed. The activities required to facilitate development will not result in any loss of function to wetlands and watercourses." See Following Reasons in FD#3.

- 3.) **Regulated Activities (Upland Review Area):** Regulated activities within the Upland Review Area will include construction of New-Single Family Residences (NSFR) and associated Site improvements on proposed Lots# 2,3,5,6,8,11,13,16. Temporary Disturbance within the URA will include installation Soil Erosion and Sediment Controls, grading, and Topsoil Stockpile Areas.
- 4.) **Town Engineer MEMO:** Received 7/22/26, several deficiencies were noted with the Stormwater Drainage report, and comments were made to revise the plan sets. It can be noted that the area the project is proposed in is *"the broader watershed within which this development activity is proposed drains to the bottom of Long Cove Rd into Flat Brook. Properties in the lower reaches of this watershed are subject to flooding in lower frequency storm events. The present proposal does not provide the necessary protections to this end. Though a net zero peak flow increase condition is met for the 10,25, and 100-year storm events. The peak flows are calculated to increase for the 2-year storm. This is not acceptable."* The applicant must address all comments and plan revisions provided by the Town Engineers MEMO.

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#26-6RESUB, 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#26-6RESUB, 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:***

STAFF RECOMMENDATION: Table the application until all comments provided by the Town Engineer have been addressed by the Applicant in the stormwater management report and provide revised plan sets for additional comments by the Town Engineer.