TOWN OF LEDYARD

Planning & Zoning Commission

Meeting Minutes

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Chairman
Tony Capon

Regular Meeting

Thursday, April 13, 2023 **6:00 PM** **Council Chambers - Hybrid Format**

I. CALL TO ORDER

Chairman Capon called the Regular Meeting of the PZC to order at 6:00 PM. The meeting was hybrid with some attending in person and others via Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL APPOINTMENT OF ALTERNATES

Staff Present: Planning Director, Juliet Hodge, Land Use Administrative Asst, Makenna Perry.
Commissioner James Arwrach resigned from the PZC.
Alternate Commission member, Jessica Cobb was appointed as a voting member for this meeting.

Present Commissioner Marcelle Wood
Chairman Tony Capon
Alternate Member Thomas Baudro
Commissioner Paul Whitescarver
Commissioner Howard Craig
Alternate Member Jessica Cobb
Commissioner Gary St. Vil

IV. CITIZENS PETITIONS (LIMITED TO NON-AGENDA ITEMS)

Hillary Evans, thanked the Commission for their hard work throughout the years.

V. APPROVAL OF ADDITIONS TO AND/OR CHANGES TO ORDER OF THE AGENDA

None.

VI. PRE APPLICATION OR WORKSHOP

A. 84 Silas Deane - General Discussion

Peter Gardner, reviewed a conceptual plan for a possible 31-lot 8-30g subdivision on property located at 84 Silas Dean. He asked the Commission to give comments and input.
Chairman Capon questioned if the applicant presented his idea to Southeastern Connecticut Water Authority (SCWA).
Steve Rice, Charleston RI, explained that he spoke with the SCWA and they determined that

the property has the ability to support 20+ houses.
The Commission asked questions about fire hydrant placement, the topography of the property, the width of the proposed private road, as well as about the access.
J. Hodge asked whether they had considered doing a Conservation or Open Space Subdivision instead.

VII. PUBLIC HEARINGS/APPLICATIONS

A. Application PZ#23-3 of the Town of Ledyard, 741 Colonel Ledyard Highway, Ledyard, CT 06339 for amendments to The Town of Ledyard's Zoning Regulations, Section 8.31 Short-Term Rentals, Hosted; and Section 2.2 Definitions (Mixed-use Commercial/Industrial) to add the words "or development" ; and to add Accessory Apartment to Section 6.4 Use Table.

The public hearing was opened at 6:21 PM.

Planning Director Juliet Hodge presented the application. She read new exhibits into the record.

JanCarlo Sarita, 8 Story Road, Salem MA, spoke in support of the application. Mr. Sarita is the property owner of 5 Johnie Court and reminded the Commission that the requirements regarding the presence of the host and/or use of surveillance equipment to monitor had to be the same for all STRs.(Short Term Rentals).
Chairman Capon asked Mr. Sarita to give his opinion on the response time of a non-hosted STRs. Mr. Sarita answered that a 30-minute response time is reasonable.

Carol Miello, 12 Cardinal Lane, spoke against the application. Ms. Miello expressed concern about camera placement within STRs, and that the homeowner should verify the placement and number of cameras on site. She supported the renewal requirement of the permit, and supported the minimum lot size requirement.

Mark Spruance, 8 Redbrook Lane, spoke against the application. Mr. Spruance expressed concern about the impact of STRs on property values and does not support allowing commercial uses in residential zones.

Nate Weiss, 23B Bittersweet Drive, spoke against the application. Mr. Weiss explained that STRs and the parties that may arise could potentially result in lawsuits.

Eric Treaster, 10 Huntington Way, spoke against the application. Mr. Treaster gave the Commission two handouts. Mr. Treaster expressed concern about potential misconduct by STR guests and the negative impacts to abutting neighbors. Mr. Treaster believed that requiring a host to reside on the property would better control unwanted behavior. He expressed concern about the use of cameras, explaining that they could violate privacy laws or be easily disconnected. Mr. Treaster stated that towns are not required to allow STRs. He suggested changes to the existing STR Definition and Purpose and suggested that the Purpose include reasons why the town wants to allow STRs.

Bob Graham, 72A Long Pond Road, spoke against the application. Mr. Graham was concerned about the lack of requirements for septic tank condition and capacity on properties to be used as STRs, as they need to be capable of supporting numerous guests. Mr. Graham suggested that the Commission require that the system be tested and proven that it can support the increased use.He supports limiting the number of STRs permits that can be issued.

Pamela Bartlett, 62 Long Pond Road S, spoke against the application. She gave the Commission a handout named 'Stop Punishing Your Townspeople's. Ms. Bartlett believed that if STRs are not required to be hosted, they should be banned. Ms. Bartlett explained that businesses are not appropriate in residential zones. She expressed her concerns about the negative impact STRs would have on tourism and quality of life and the availability of affordable homes for families.

Mike Cherry, 5 Whipporwhirl Dr, expressed his concerns about STR's. Mr. Cherry supported the minimum lot size requirement to operate an STR, and stated that STRs should be hosted. Mr. Cherry explained that high density residential districts cannot support STR's. He does not agree with the use video surveillance at STRs to ensure compliance.

Steve Fagin, 63R Long Pond Road S, spoke in favor of requiring STRs to be physically hosted to prevent out of town investors from buying homes and using them as STRs. He believed that transient residents are not as vested in neighborhoods.

Terri Isenburg, Chapman Lane, spoke in favor of the application. Ms. Isenburg explained that she owns an STR and that she uses video surveillance and has 'house rules' for her guests which helps to negate problems. Ms. Isenburg believes that STRs do not devalue a home. She indicated that long-term renters may be better, but that they can be a burden to get rid of.

Erica Hall, 780 Lantern Hill Road, spoke against the application. Ms. Hall is the owner and operator of 'Abbey's Lantern Hill Inn' and explained the problems that she has had with controlling the behavior of guests and stopping them from violating policies - despite being present when the guests are present. She expressed concern about Ledyard's proximity to the Casinos and the higher likelihood of attracting partiers. She is in support of having a host on site at all times to be able to respond immediately and effectively. Ms. Hall explained that the burden is on neighbors to police the guests of a neighboring STR if there is no host. She noted that bad users can open new accounts on Air BnB and wipe their previous history clean. Ms. Hall does not see the benefit of STRs when considering the potential damage.

Chairman Capon continued the public hearing for Application PZ#23-3RA to the next regular Planning and Zoning Meeting on May 11, 2023, at 6:00 PM.

B. Application PZ#23-4SUP of Gales Ferry Intermodal LLC / Heller, Heller, McCoy, 549 South Street, Quincy, MA 02169, for a special use permit for the construction of an industrial building with appurtenant facilities on a portion of the property located at 1761 Connecticut, Route 12 in the Town of Ledyard, Country of New London and State of Connecticut.

Chairman Capon opened the public hearing at 7:40pm.
Mr. Capon read a letter by Jake Troy of 55 Vinegar Hill Road into the record. Mr. Troy was

not in support of the application.
Planning Director, Juliet Hodge, identified and summarized the new exhibits received for the record.

Att. Harry Heller, 736 Route, 32 Uncasville, presented the application on behalf of the applicant, Gales Ferry Intermodal LLC. Att. Heller identified George Andrews as the P.E for this project, Alan Peralt and Chase Davis as the principles of Gales Ferry Intermodal, Mike Cherry as the Communications Liaison, and Andrew McCoy, associate of Heller, Heller, and McCoy.
Att. Heller summarized the proposal to build a 20,000 marine equipment repair facility with associated parking, access and outdoor lay down areas.

George Andrews, licensed environmental professional and P.E with Loureiro Engineering, presented the dimensional and bulk requirements, and parking requirements. This operation is expected to have 10 employees. Mr. Andrews explained the change in elevations on site between the northern property line and the lay down area and discussed the landscaping and drainage systems proposed. He stated that the storm water system would reduce peak discharge and volume of run-off from the site. There will be hooded catch basins and hydro-dynamic separators that can handle 100 year storm volume. Mr. Andrews explained that the utilities are underground. They are currently in the application process with LLHD for the septic system. There is public water available from Route 12 which they will use, as well as connection to an existing gas line. Final stabilization will include pavement, grassed area, and landscaping.

Planning Director, Juliet Hodge, presented her comments about the application. Ms. Hodge explained that this a strategic property for economic use, but maintaining the as much of the existing buffer between the project area and the residential neighborhood is important given the potential for full build-out of the property. She stated that she received revised plans only a few days before the meeting, so her review is not complete. She questioned the need for additional information regarding the impact to protected species and the need to identify the NDDB Areas on the plan. She clarified that the overall use is a mixed-use development with the individual uses being the existing industrial use (Styrenics) and the proposed vehicle and equipment repair facility. She questioned why the lay down area that the applicant said would be used for storage and repair of equipment used in Cashman's marine operations was larger than the area proposed for the actual principal use.

The Commission asked questions about the activity and the marine maintenance that would be conducted on the lay down area.

Alan Perrault, Cashman, explained that activity would include the storage of equipment such as crane booms and buckets, welding and other repair activity etc, but that the storage of aggregate and other material may be considered. Mr. Perrault gave Commissioners a rendering of the area of the site with the lay down area in use.

Commissioner Baudro questioned if there would be dredging on site. Att. Heller answered that within this application there will not be dredging. He **also** challenged the Applicant's

assertion that the property has been used industrially for the past 200 years. He showed aerial photos from the 1930's that showed that the property was almost entirely farmland. He also noted that Mt. Decator is a historical site.

Stanley Lucus, 35 River Dr, spoke against the application. Mr. Lucus explained that he wants to ensure his quality of life is not negatively impacted, nor that there is any negative impact to the wildlife and natural resources in the neighborhood. Mr. Lucus purchased 3 River Drive and is fixing it up. He expressed concern about potential depreciation of property values. He felt as though there should be a larger buffer.

Dave Harned, River Dr, was not in support of the application. Mr. Harned presented his PowerPoint on behalf of Citizens Alliance for Land Use (CALU), his family, and Ms. Sacco who also submitted written comments. He expressed his concerns about the proximity of the building to the northerly property line. He expressed the need/want for compromise with the Cashman Group to move the building further away from the residential neighborhood.

Phil LaPierre, 6 Point Breeze, Montville, was not in favor of the application. Mr. LaPierre lives across the river, and requested that the applicant consider a buffer to help reduce the noise.

Joanne Kelly, 12 Thamesview Ptwy, was not in favor of the application. Ms. Kelly lives across the street and was concerned about the potential noise. She expressed her support for keeping a larger wooded perimeter and existing buffers. She explained that she wanted more transparency from the application and questioned if there was any contamination that needed to be re-mediated. Att. Harry Heller explained that both Dow Chemical and Trinseo have responsibility in compliance with the transfer act.

Sam Roudebush, 63 Hurlbutt Road, appreciated the efforts to remediate the storm water runoff. Mr. Roudebush, advised the Commission to look at the application and project as a whole to fully consider all impacts. Mr. Roudebush is in favor of commercial development of land, but without impact to historical neighborhoods.

Albert Oueletter, 401 Kittmauge, Montville, was not in support of the application. Mr. Ouelette worked at Allyn's Point / Dow in 1974 as a crane operator. For the last 10-12 years the location has been quiet. He noted that noise carries very well across the river. He is concerned about the lights that will be on during the night at the property.

Robert Kleeman Jr, 1837 Route 12, was not in support of the application. He believes that the building should not be so close to the residents along the northern area of the property. He expressed concern about the outdoor activity would be, including the storage of aggregate, and the potential noise disturbance.

Chairman Capon continued the public hearing to the next regular scheduled Planning and Zoning Meeting, on May 11, 2023 at 6:00 PM.

C. Application PZ#23-5CAM of Gales Ferry Intermodal LLC / Heller, Heller, McCoy, 549 South Street, Quincy, MA 02169, for coastal area management approval for the construction

of an industrial building with appurtenant facilities on a portion of the property located at 1761 Connecticut, Route 12 in the Town of Ledyard, Country of New London and State of Connecticut.

The public hearing opened at 10:09 PM.

Att. Harry Heller, 732 Route 12, Uncasville, representing the applicant Gales Ferry Intermodal LLC, requested that the Commission incorporate the entire record from the previous public hearing for PZ#23-4SUP into the record of PZ#23-5CAM.
Without objection, the entire record from PZ#23-4SUP was incorporated into the new public hearing for PZ#23-5CAM.

Chairman Capon continued the public hearing to the next regular scheduled Planning and Zoning Meeting on May 11, 2023 at 6:00 PM.

VIII. OLD BUSINESS

A. 2023 Housing Plan

Planning Director, Juliet Hodge, explained that the consultants and she were working with Commissioner Cobb on a housing plan map. She asked that the Commission identify Housing Opportunity Areas
The public hearing is set for May 11, 2023 at 6:00 PM.

B. Application PZ#23-1 of Dieter and Gardner, Inc, PO Box 335, Gales Ferry CT, 06335 for the modification of a site plan located at 740 Colonel Ledyard Highway, Ledyard CT, 06339.

The applicant withdrew the application.

IX. NEW BUSINESS

None.

X. APPROVAL OF MINUTES

A. March 9th, 2023 - Meeting Minutes

The meeting minutes from the March 9, 2023 meeting were approved as submitted.

XI. CORRESPONDENCE

None.

XII. REPORTS

A. Planning Director Report - March/April

Planning Director, Juliet Hodge presented her staff report. She reported that the department has hired a Zoning Enforcement Officer - Alex Samalot- who will start on may 1st. As he is not a certified ZEO, he will primarily focus on the many blight complaints that she cannot get to. She will continue to do plan review as Mr. Samalot trains. Ms. Hodge stated that it

has been very busy in the office and that they have received numerous plans for New Single Family Homes.

XIII. ADJOURNMENT

Without objection, the meeting adjourned at 10:19 PM.