

28 2024

APPLICATION FOR THE SUBDIVISION OF LAND

Phone: (860) 416-9809

- Is open space proposed? Yes _____ No x

- Acreage _____

- Does this subdivision involve new streets or improvements to any existing street?

Yes x No _____

- Linear feet of new street 540 +/-

List of existing structures and/or easements: None existing

Proposed utility systems to serve building lots:

Water: On-Site Well x Community Supply _____

Sewage: On-Site Septic x Community Sewage _____

List existing or potential hazards existing within or contiguous to parcel to be subdivided (steep cliffs, high pressure gas lines, power transmission lines, buried utilities, land subject to flooding, oil storage, weapons storage bunkers, etc.):

None

Is this application a resubdivision? If yes, indicate date(s) of earlier subdivision(s): Yes

October 17, 2012 (date of endorsement of subdivision plan)

CERTIFICATION:

I hereby certify that I have read and fully understand all provisions of the Regulations Governing the Subdivision of Land for Ledyard, Connecticut, and, if applicable, the Ledyard Zoning Regulations, the Town Road Ordinance (Ordinance #45), or Town Stormwater Management Ordinance (#44), and that, to the best of my knowledge, the proposal contained herein is in compliance with these Regulations and Ordinances.

AVERY BROOK HOMES, LLC

Signature of Applicant its Manager

March 27, 2024

Month/Day/Year

IWWC Application # _____

IWWC Application Date: _____

Public Hearing Date(s) _____

Final Decision Date: _____

Action: Approved _____ Approved with Modifications _____ Denied _____

FEE: _____ + \$30.00 State Fee: _____

DATE PAID: _____ RECEIPT #: _____

AUTHORIZATION

AVERY BROOK HOMES, LLC hereby authorizes the law firm of Heller, Heller & McCoy, the land surveying – planning firm of Dieter & Gardner, Inc. and the engineering firm of LBM Engineering, LLC to represent its interests in all proceedings before the Town of Ledyard Planning and Zoning Commission with respect to an application for resubdivision approval in conjunction with the residential development of properties located at 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, Connecticut as an affordable housing project in accordance with a plan entitled “Plan Showing Resubdivision Property of Avery Brook Homes LLC 96, 98 & 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut Scales As Shown March 2024 Sheets 1 of 8 to 8 of 8 Dieter & Gardner Land Surveyors – Planners P.O. Box 335 1641 Connecticut Route 12 Gales Ferry, CT 06335 (860) 464-7455 Email: dieter.gardner@yahoo.com”.

Dated at Montville, Connecticut this 28th day of March, 2024.

AVERY BROOK HOMES, LLC

By: _____

Peter C. Gardner, its Member

SUBDIVISION / RESUBDIVISION CHECKLIST

Requirements For All Applications:

Application # _____

- ☒ Written Application
- ☒ Fee
- ☒ Legal Description (copy of property deed)
- ☒ Key Map (1"=1000' and streets and property lines within a half mile)
- ☒ Boundary Survey Map (1"=100') showing:
 - a) ☒ Title, date, North arrow, scale, signature blocks
 - b) ☒ Layout of lots in subdivided / resubdivided tract
 - c) ☒ Lot numbers assigned by assessor, street names
 - d) ☐ Land dedicated as open space, parks or playgrounds
- ☒ Detailed Layout Map (1"=40' unless requested otherwise by Commission), showing:
 - a) ☒ Title, date, North arrow, scale, signature blocks
 - b) ☐ Zoning district
 - c) ☒ Lot lines, including dimensions, bearings, or angles
 - d) ☒ Building setback lines - Determined pursuant to the Affordability Plan
 - e) ☒ Existing and proposed easements with stated purpose
 - f) ☐ Existing building and structures
 - g) ☒ Names of abutting streets and abutting property owners
 - h) ☒ Contour lines not less than 5' intervals
 - i) ☒ Inland wetlands, water bodies, and stream courses
 - j) ☐ Exposed ledge outcrops
 - k) ☐ Archaeological sites, historic and natural features
 - l) ☒ Deep observation pits for septic systems
 - m) ☒ Location of proposed buildings, wells, and septic systems
 - n) ☐ Existing or proposed open space parcels
 - o) ☐ Existing or proposed hiking trails
 - p) ☒ Existing DOT or USGS monuments and benchmarks
 - q) ☐ Location of "reverse frontage" driveways
 - r) ☒ Existing and proposed boundary monuments and lot markers
 - s) ☐ Special Flood Hazard Areas (100-year flood zones)
 - t) ☐ Existing or potential hazards (ESQD arcs, power lines, etc.)
 - u) ☒ Energy report (letter stating passive solar energy techniques have been used; 4.6 Regs)

☐ Written approval of activity in wetlands from the IWWC No wetlands on property being subdivided/no regulated activities

☒ Written approval for water and septic from Ledge Light Health District

If applicable:

- ☒ Written proof allowing applicant to act on behalf of landowner
- ☒ List of corporate officers with authority to act
- ☒ Drainage plans/cross-sections, as per Road Ordinance
- ☒ Hydrologic models used to size drainage system (e.g., TR55)
- ☒ Road plans/cross-sections, as per Road Ordinance
- ☒ TBP Written approval of drainage and roads from Public Works Director
- ☒ Length of proposed street(s) in General Notes (cul-de-sacs measured to farthest edge of bulb)
- ☒ DOT permit to connect to State highway Applied for
- ☐ Traffic study prepared by Certified Traffic Engineer - under 25 lots
- ☒ Erosion and sedimentation control plan
- ☐ Written authorization to connect to public water supply
- ☐ Evidence of notification to abutting property owners
- ☐ Statement of intended use for undeveloped portions of tract
- ☐ Statement of disposition of open spaces, parks, and playgrounds
- ☐ Coastal Area Site Plan review
- ☐ Written request for waiver of subdivision regulations
- ☐ Evidence of variance granted by Zoning Board Appeals
- ☒ Referral to DPH & Groton Utilities if project falls within watershed boundary on Map #2491

AVERY BROOK HOMES, LLC
LIST OF COMPANY MEMBERS AUTHORIZED TO ACT

Peter C. Gardner
P.O. Box 335
Gales Ferry, CT 06335

Conrad C. Gardner, Jr.
2 Aberdeen Court
East Lyme, CT 06333

Anthony Bonafine
39 Bella Vista Drive
North Windham, CT 06256

PLEASE RETURN TO:
Avery Brook Homes, LLC
Attn: Mr. Peter C. Gardner, Member
PO Box 335
Gales Ferry, CT 06335

WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

Know Ye That **AMER JAVED** of the Town of Plainfield, County of Windham and State of Connecticut, for the consideration of **TWO HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 (\$250,000.00)** received to my satisfaction of **AVERY BROOK HOMES, LLC**, A Connecticut limited liability company with an office and place of business located in the Village of Gales Ferry, Town of Ledyard, County of New London and State of Connecticut, grants to **AVERY BROOK HOMES, LLC, WITH WARRANTY COVENANTS** all those certain tracts or parcels of land, located in the Town of Ledyard, County of New London in the State of Connecticut, known 94, 96, 98, 100 Stoddards Wharf Road, more particularly bounded and described in Schedule "A" attached hereto and made a part hereof.

Richard I. Rothstein
Richard I. Rothstein
Commissioner of the Superior Court

SCHEDULE "A"

Four certain tracts or parcels of land situated on the northerly side of Stoddards Wharf Road (Connecticut Route 214) in the Town of Ledyard, County of New London and State of Connecticut and being more particularly bounded and described as follows:

FIRST TRACT:

A certain tract or parcel of land, together with the improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road (Connecticut Route 214) in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as "N/F Amer Javad" on a certain map or plan entitled "Subdivision Plan Prepared For Amer Javad 98 Stoddards Wharf Road - (Conn. Rte #214) Ledyard, Connecticut Boundary Survey Map Project No. 11-060 Drawn By: R.A.D. Date: 9/12/11 Revisions 12/11 Per Comments Scale: 1"=40' Sheet 1 of 4 Advanced Surveys, LLC. 25 Apple Lane, Colchester CT. 06415 Phone & Fax (860) 267-5979", with reference further being made to a plan entitled "Lot Division Plan Property of P Ande Holdings, LLC 98 Stoddards Wharf Road (Connecticut Route 214) Ledyard, Connecticut Date: May 10, 2007 Revision No. 1 5/23/07 Street Address, Location Map & Note 12 Added By JB Scale: 1"=40' Drawn By: JB Drawing No: 06064-1 Sheet No. 1 of 2" prepared by James Bernardo, L.S. and filed for record as Map 2524 in the Ledyard Town Clerk's Office, which premises is more particularly bounded and described as follows:

Beginning at an iron pin recovered in the northerly monumented highway line of Stoddards Wharf Road (Connecticut Route 214) at the southwesterly corner of the herein described tract and on the dividing line between the herein described tract and Lot 3 as shown on the above referenced plan; thence running North 04°37'34" West for a distance of 280.53 feet bounded westerly by Lot 3 as shown on the above referenced plan to an iron pin recovered; thence running North 88°04'34" East for a distance of 250.90 feet bounded northerly by Lot 3 as shown on the above referenced plan to an iron pin recovered in a stone wall; thence running South 01°58'21" West for a distance of 275.06 feet bounded easterly by land now or formerly of the City of Groton to a drill hole recovered in a stone wall corner face; thence running North 87°39'24" West for a distance of 46.59 feet along the face of a stone wall to a drill hole recovered in a stone wall angle face; thence running South 86°00'46" West for a distance of 96.76 feet along the face of a stone wall to a drill hole recovered in a stone wall face; thence running South 83°43'27" West for a distance of 76.04 feet along the face of a stone wall to the iron pin recovered at the point and place of beginning.

SECOND TRACT:

A certain tract or parcel of land, together with the improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road (Connecticut Route 214) in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as Lot 1 on a certain map or plan entitled "Subdivision Plan Prepared For Amer Javad 98 Stoddards Wharf Road - (Conn. Rte #214) Ledyard, Connecticut Boundary Survey Map Project No. 11-060 Drawn By: R.A.D. Date: 9/12/11 Revisions 12/11 Per Comments Scale: 1"=40' Sheet 1 of 4 Advanced Surveys, LLC. 25 Apple Lane, Colchester CT. 06415 Phone & Fax (860) 267-5979" which premises is more particularly bounded and described as follows:

Beginning at a monument recovered in the face of a stone wall in the northerly monumented highway line of Stoddards Wharf Road at the southeasterly corner of the herein described tract and on the dividing line between the herein described tract and Lot 3 as shown on the above referenced plan; thence running South $83^{\circ}43'27''$ West for a distance of 32.85 feet, in part along the face of a stone wall, to a point; thence running South $85^{\circ}51'12''$ West for a distance of 97.42 feet along the face of a stone wall to a point; thence running South $77^{\circ}35'14''$ West for a distance of 72.60 feet to a stone wall end; thence running South $71^{\circ}32'53''$ West for a distance of 39.51 feet along the face of a stone wall to a point; thence running South $75^{\circ}13'07''$ West for a distance of 19.23 feet along the face of a stone wall to a monument recovered, the last five (5) courses being bounded southerly by Stoddards Wharf Road (Connecticut Route 214); thence running North $05^{\circ}22'49''$ West for a distance of 246.53 feet bounded westerly by Lot 2 as shown on the above referenced plan to an iron pin recovered; thence running North $85^{\circ}06'23''$ East for a distance of 262.73 feet bounded northerly in part by Lot 2 and in part by Lot 3, each as shown on the above referenced plan, to an iron pin recovered; thence running South $04^{\circ}37'34''$ East for a distance of 224.93 feet bounded easterly by Lot 3 as shown on the above referenced plan to the monument recovered at the point and place of beginning.

THIRD TRACT:

A certain tract or parcel of land, together with the improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road (Connecticut Route 214) in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as Lot 3 on a certain map or plan entitled "Subdivision Plan Prepared For Amer Javad 98 Stoddards Wharf Road - (Conn. Rte #214) Ledyard, Connecticut Boundary Survey Map Project No. 11-060 Drawn By: R.A.D. Date: 9/12/11 Revisions 12/11 Per Comments Scale: 1"=40' Sheet 1 of 4 Advanced Surveys, LLC. 25 Apple Lane, Colchester CT. 06415 Phone & Fax (860) 267-5979" which premises is more particularly bounded and described as follows:

Beginning at a monument recovered in the face of a stone wall in the northerly monumented highway line of Stoddards Wharf Road (Connecticut Route 214) at the southwesterly corner of the herein described tract and on the dividing line between the herein described tract and Lot 1 as shown on the above referenced plan; thence running North $83^{\circ}43'27''$ East for a distance of 28.01 feet along the face of a stone wall bounded southerly by Stoddards Wharf Road (Connecticut Route 214) to an iron pin recovered; thence running North $04^{\circ}37'34''$ West for a distance of 280.53 feet to an iron pin recovered; thence running North $88^{\circ}04'34''$ East for a distance of 250.90 feet to an iron pin recovered in a stone wall, the last two courses being bounded easterly and southerly by land now or formerly of Amer Javad as shown on the above referenced plan; thence running North $01^{\circ}58'21''$ East for a distance of 54.77 feet along a stone wall bounded easterly by land now or formerly of the City of Groton to a drill hole recovered in a stone wall corner; thence running North $29^{\circ}46'29''$ West for a distance of 446.33 feet bounded northeasterly by land now or formerly of the City of Groton to an iron pin recovered; thence running North $79^{\circ}54'55''$ West for a distance of 124.90 feet bounded northeasterly by land now or formerly of the City of Groton to an iron pin recovered; thence running South $03^{\circ}45'19''$ West for a distance of 540.98 feet bounded westerly by Lot 2 as shown on the above referenced plan to an iron pin recovered; thence running North

85°06'23" East for a distance of 104.43 feet to an iron pin recovered; thence running South 04°37'34" East for a distance of 224.93 feet to the monument recovered at the point and place of beginning, the last two courses being bounded southerly and westerly by Lot 1 as shown on the above referenced plan.

FOURTH TRACT:

A certain tract or parcel of land, together with the improvements thereon, if any, situated on the northwesterly side of Stoddards Wharf Road (Connecticut Route 214) in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as Lot 2 on a certain map or plan entitled "Subdivision Plan Prepared For Amer Javad 98 Stoddards Wharf Road - (Corin. Rte #214) Ledyard, Connecticut Boundary Survey Map Project No. 11-060 Drawn By: R.A.D. Date: 9/12/11 Revisions 12/11 Per Comments Scale: 1"=40' Sheet 1 of 4 Advanced Surveys, LLC. 25 Apple Lane, Colchester CT. 06415 Phone & Fax (860) 267-5979" which premises is more particularly bounded and described as follows:

Beginning at a monument recovered in the face of a stone wall in the northwesterly line of Stoddards Wharf Road (Connecticut Route 214) at the southeasterly corner of the herein described tract and on the dividing line between the herein described tract and Lot 1 as shown on the above referenced plan; thence running South 75°13'07" West for a distance of 20.27 feet along the face of stone wall bounded southeasterly by Stoddards Wharf Road (Connecticut Route 214) to an iron pipe recovered at an intersection of stone walls; thence running North 05°22'49" West for a distance of 219.67 feet along a stone wall to a drill hole recovered at an angle in said stone wall; thence running North 44°05'31" West for a distance of 80.58 feet along a stone wall to a drill hole recovered at an angle in said stone wall; thence running North 84°25'41" West for a distance of 51.72 feet along a stone wall to an angle in said stone wall; thence running North 69°56'31" West for a distance of 35.08 feet along a stone wall to a drill hole recovered at a stone wall corner, the last four courses being bounded by land now or formerly of Shirley P. Pandora as shown on the above referenced plan; thence running North 08°33'44" East for a distance of 45.03 feet along a stone wall to an angle in said stone wall; thence running North 14°05'31" East for a distance of 54.14 feet along a stone wall to an angle in said stone wall; thence running North 08°23'24" East for a distance of 58.63 feet along a stone wall to a drill hole recovered, the last three courses being bounded westerly by land now or formerly of Arlene Allard as shown on the above referenced plan; thence running North 08°20'33" East for a distance of 15.10 feet along a stone wall to a drill hole recovered at an angle in said stone wall; thence running North 28°03'08" East for a distance of 129.46 feet along a stone wall to a drill hole recovered at an angle in said stone wall; thence running North 28°56'22" East for a distance of 108.56 feet along a stone wall to a drill hole recovered at a stone wall corner; thence running North 26°53'21" East for a distance of 69.30 feet along a stone wall to the end of said stone wall; thence running North 30°20'54" East for a distance of 105.43 feet passing through a pile of stones and remains of stone wall on line as shown on the above referenced plan to an iron pin recovered, the last five courses being bounded northwesterly by land now or formerly of the City of Groton as shown on the above referenced plan; thence running South 79°54'55" East for a distance of 124.00 feet bounded northeasterly by land now or formerly of the City of Groton to an iron pin recovered; thence running South 03°45'19" West for

a distance of 540.98 feet bounded southeasterly by Lot 3 as shown on the above referenced plan to an iron pin recovered; thence running South $85^{\circ}06'23''$ West for a distance of 158.30 feet to an iron pin recovered; thence running South $05^{\circ}22'49''$ East for a distance of 246.53 feet to the monument recovered at the point and place of beginning, the last two courses being bounded southerly and easterly by Lot 1 as shown on the above referenced plan.

Reference is hereby made to a Warranty Deed from Richard I. Rothstein to Amer Javed dated March 5, 2010 and recorded in Volume 474, Page 430 of the Ledyard Land Records.

HELLER, HELLER & McCoy

Attorneys at Law

736 Norwich-New London Turnpike

Uncasville, Connecticut 06382

Sidney F. Heller (1903-1986)

Harry B. Heller (hheller@hellermccoy.com)

William E. McCoy (bmccoy@hellermccoy.com)

Mary Gagne O'Donal (mgodonal@hellermccoy.com)

Andrew J. McCoy (amccoy@hellermccoy.com)

Telephone: (860) 848-1248

Facsimile: (860) 848-4003

March 28, 2024

Town of Ledyard Planning and Zoning Commission

Attn: Mrs. Juliet Hodge, Director of Planning

741 Colonel Ledyard Highway

Ledyard, CT 06339

Re: Application of Avery Brook Homes, LLC for an affordable housing subdivision (C.G.S. §8-30g) on properties located at 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut

Dear Juliet:

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. On behalf of our client, we hereby submit herewith an application for resubdivision approval of a proposed eighteen (18) lot residential subdivision submitted under the provisions of Connecticut General Statutes §8-30g. The project contemplates the development of a 500 foot, more or less, public street designated as "Avery Court" which will provide access from Stoddards Wharf Road A.K.A. Connecticut Route 214 to the proposed eighteen (18) building lots within the resubdivision.

Submitted herewith and constituting the application for 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 of Land.
2. Original and four (4) copies of the Subdivision/Resubdivision Checklist for this project.
3. Authorization signed by Avery Brook Homes, LLC authorizing the law firm of Heller, Heller & McCoy, the land surveying – planning firm of Dieter & Gardner, Inc. and the engineering firm of LBM Engineering, LLC to represent its interests in all proceedings before the Town of Ledyard Planning and Zoning Commission with respect to this resubdivision application.

4. Five (5) copies of the Affordability Plan for the project prepared pursuant to the requirements of Section 8-30g of the Connecticut General Statutes and the regulations promulgated thereunder.
5. A copy of our correspondence of even date herewith to Groton Utilities since the property proposed for resubdivision is located within the limits of the City of Groton Utilities watershed.
6. A copy of our correspondence 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 application is located within the City of Groton Utilities watershed.
7. Five (5) prints of the resubdivision plan entitled "Plan Showing Resubdivision Property of Avery Brook Homes LLC 96, 98 & 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut Scales As Shown March 2024 Sheets 1 of 8 to 8 of 8 Dieter & Gardner Land Surveyors – Planners P.O. Box 335 1641 Connecticut Route 12 Gales Ferry, CT 06335 (860) 464-7455 Email: dieter.gardner@yahoo.com".
8. Five (5) copies of the report from the Ledge Light Health District concerning the suitability of the lots in the proposed affordable housing subdivision for the siting of on-site sanitary sewage disposal systems.
9. 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 this affordable housing subdivision application 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.
10. A list of limited liability company members of Avery Brook Homes, LLC authorized to act.
11. Five (5) copies of a draft of the "Declaration of Joint Driveway Easement and Maintenance Agreement Affordable Housing Subdivision of Avery Brook Homes, LLC at 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut 7, 9, 11 and 13 Avery Court" by Avery Brook Homes, LLC.
12. Five (5) copies of a draft of the "Declaration of Joint Driveway Easement and Maintenance Agreement Affordable Housing Subdivision of Avery Brook Homes, LLC at 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut 6, 8, 10 and 12

Avery Court" by Avery Brook Homes, LLC.

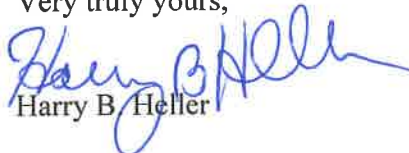
13. Five (5) copies of a draft of the "Declaration of Joint Driveway Easement and Maintenance Agreement Affordable Housing Subdivision of Avery Brook Homes, LLC at 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut 8, 12, 14 and 16 Avery Court" by Avery Brook Homes, LLC.
14. Five (5) copies of a draft of the Grant of Drainage Easement from Avery Brook Homes, LLC to the Town of Ledyard to accommodate the use, maintenance, repair and replacement of the stormwater and drainage improvements contemplated on Lot 2 of the resubdivision plan.
15. Five (5) copies of a draft of the Grant of Drainage Easement from Avery Brook Homes, LLC to the Town of Ledyard to accommodate the use, maintenance, repair and replacement of the stormwater and drainage improvements contemplated on Lots 6, 12, 14 and 16 on the resubdivision plan.
16. A check in the amount of \$1,560.00 representing payment of the filing fee for the resubdivision application calculated as follows:

Base fee (up to three lots)	\$250.00
Fifteen excess lots @ \$50.00 per lot	\$750.00
Public hearing fee	\$500.00
State fee	\$60.00
Total	\$1,560.00

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 April 11, 2024. Request is hereby further made that the Ledyard Planning and Zoning Commission schedule a public hearing on this resubdivision application at the earliest available meeting date subsequent to April 11, 2024.

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

HELLER, HELLER & McCOY

Attorneys at Law

736 Norwich-New London Turnpike

Uncasville, Connecticut 06382

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Telephone: (860) 848-1248

Facsimile: (860) 848-4003

March 28, 2024

VIA CERTIFIED MAIL

City of Groton Utilities

295 Meridian Street

Groton, CT 06340

Re: Avery Brook Homes, LLC – Resubdivision application to the Town of Ledyard Planning and Zoning Commission for the development of a proposed affordable housing subdivision on properties located at 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214

Ledyard Assessor's Designation: Map 65, Lots 96, 98 and 100

Gentleperson:

Please be advised that this office represents Avery Brook Homes, LLC, the owner of three (3) certain tracts or parcels of land known as 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214, in the Town of Ledyard, Connecticut. Our client has submitted an application to the Town of Ledyard Planning and Zoning Commission for the resubdivision of this real property under the Connecticut Affordable Housing Act, Connecticut General Statutes §8-30g.

The land that is the subject of the resubdivision application is located within the watershed of the City of Groton Utilities. We are providing notice to the City of Groton Utilities as well as the Commissioner of Public Health of the filing of the affordable housing subdivision application in accordance with the requirements of §8-3i of the Connecticut General Statutes. A copy of this notice is also being provided contemporaneously herewith to the Commissioner of Public Health of the State of Connecticut.

I enclose herewith for your reference a copy of the resubdivision application which is being filed contemporaneously herewith with the Ledyard Planning and Zoning Commission as well as a copy of our transmittal to the Town of Ledyard Planning and Zoning Commission delineating the supplemental information which has been provided with the application, together with copies of such supplemental information.

City of Groton Utilities
March 28, 2024
Page 2 of 2

Should you have any questions or need any additional information, please feel free to contact the undersigned.

Very truly yours,


Harry B. Heller

HBH/rmb
Enclosures

HELLER, HELLER & McCOY

Attorneys at Law

736 Norwich-New London Turnpike

Uncasville, Connecticut 06382

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Mary Gagne O'Donal (mgodonal@hellermccoy.com)

Andrew J. McCoy (amccoy@hellermccoy.com)

Telephone: (860) 848-1248

Facsimile: (860) 848-4003

March 28, 2024

VIA CERTIFIED MAIL

State of Connecticut Commissioner of Public

Health

410 Capitol Avenue

Hartford, CT 06134

Re: Avery Brook Homes, LLC – Resubdivision application to the Town of Ledyard Planning and Zoning Commission for the development of a proposed affordable housing subdivision on properties located at 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214
Ledyard Assessor's Designation: Map 65, Lots 96, 98 and 100

Dear Commissioner:

Please be advised that this office represents Avery Brook Homes, LLC, the owner of three (3) certain tracts or parcels of land situated on the northerly side of Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, Connecticut. Our client's contiguous properties are known as 96, 98 and 100 Stoddards Wharf Road, Ledyard, Connecticut. Our client has filed a resubdivision application with the Town of Ledyard Planning and Zoning Commission for the resubdivision of the subject property for residential building lots pursuant to the provisions of §8-30g of the Connecticut General Statutes.

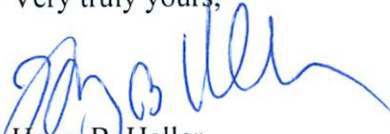
The land which is the subject of the resubdivision application is located within the watershed area of the City of Groton Utilities. We are providing notice to the City of Groton Utilities as well as the Commissioner of Public Health of the filing of this resubdivision application in accordance with the requirements of §8-3i of the Connecticut General Statutes.

I enclose herewith for your reference a copy of the resubdivision application which has been filed with the Ledyard Planning and Zoning Commission, as well as a copy of our transmittal to the Town of Ledyard Planning and Zoning Commission delineating the supplemental information which has been provided with the application, together with copies of the supplemental information.

State of Connecticut Commissioner of Public Health
March 28, 2024
Page 2 of 2

Should you require further information, please feel free to contact the undersigned.

Very truly yours,



Harry B. Heller

HBH/rmb
Enclosures

Return To:
Heller, Heller & McCoy
736 Norwich-New London Turnpike
Uncasville, CT 06382

INSTR # 2024000727 VOL 642 PG 537
RECORDED 03/21/2024 10:07:41 AM
PATRICIA A. RILEY
TOWN CLERK LEDYARD CT

BOUNDARY LINE AGREEMENT

This Boundary Line Agreement (this "Agreement") is made this 13th day of March, 2024 by and between **EVERY BROOK HOMES, LLC**, a Connecticut limited liability company with an office and principal place of business at 1641 Connecticut Route 12 in the Village of Gales Ferry, Town of Ledyard, County of New London and State of Connecticut, as the owner of 94 Stoddards Wharf Road as depicted on a certain plan entitled "Subdivision Plan Prepared For Amer Javed 98 Stoddards Wharf Road – (Conn. Rte #214) Ledyard, Connecticut Boundary Survey Map Project No. 11-060 Drawn By: R.A.D. Date: 9/12/11 Revisions 12/11 Per Comments Scale: 1" = 40' Sheet 1 of 4" prepared by Advanced Surveys, LLC (hereinafter "Party of the First Part") and **EVERY BROOK HOMES, LLC**, a Connecticut limited liability company with an office and principal place of business at 1641 Connecticut Route 12 in the Village of Gales Ferry, Town of Ledyard, County of New London and State of Connecticut, as the owner of 96, 98 and 100 Stoddards Wharf Road as depicted on a certain plan entitled "Subdivision Plan Prepared For Amer Javed 98 Stoddards Wharf Road – (Conn. Rte #214) Ledyard, Connecticut Boundary Survey Map Project No. 11-060 Drawn By: R.A.D. Date: 9/12/11 Revisions 12/11 Per Comments Scale: 1" = 40' Sheet 1 of 4" prepared by Advanced Surveys, LLC (hereinafter "Party of the Second Part").

RECITALS

1. 94, 96, 98 and 100 Stoddards Wharf Road as depicted on the hereinbefore referenced subdivision plan (the "Lots") are all located on the northerly side of Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, County of New London and State of Connecticut; and, as depicted on said subdivision plan, are contiguous tracts or parcels of land.
2. Party of the First Part and Party of the Second Part desire to re-delineate the division line among the Lots as more particularly portrayed on a certain plan entitled "Boundary Line Adjustment Plan Property of Avery Brook Homes LLC 94, 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut Scales As Shown February 2024 Sheet 1 of 2 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" (hereinafter, the "Plan").

NOW, THEREFORE, Party of the First Part and Party of the Second Part do hereby agree as follows:

1. That the division line between the property of the Party of the First Part and the Party of the Second Part is hereby redefined as follows, and as is more particularly delineated on the Plan:

Beginning at a point on the face of a stone wall in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214 at the southwesterly corner of the land of the Party of the First Part and the southeasterly corner of the land of the Party of the Second Part, which point of beginning is located the following courses and distances as measured along the

northerly streetline of Stoddards Wharf Road A.K.A. Connecticut Route 214 from a stone wall corner at land now or formerly of the City of Groton: (i) North 76°03'40" West a distance of 46.59 feet along the face of a stone wall to an angle in said stone wall face (ii) North 82°23'30" West a distance of 96.76 feet along the face of a stone wall to an angle in said stone wall face and (iii) North 84°40'49" West a distance of 76.04 feet along a stone wall face to the point and place of beginning of the boundary line between the property of the Party of the First Part and the property of the Party of the Second Part; from said point of beginning, the common boundary line runs thence North 06°58'15" East a distance of 224.25 feet to a point; thence South 83°17'48" East a distance of 93.79 feet to a point; thence North 09°40'16" East a distance of 193.34 feet to a point; thence North 38°13'17" East a distance of 74.00 feet to a point; thence North 28°34'58" West a distance of 79.45 feet to a point; thence North 03°35'24" West a distance of 146.42 feet to a point; thence South 86°50'26" West a distance of 137.74 feet to a point; thence South 86°50'26" West a distance of 218.02 feet to the centerline of a stone wall at land now or formerly of the City of Groton.

2. Party of the Second Part does hereby remise, release and forever quit claim to Party of the First Part, its successors and assigns, all of the right, title and interest of Party of the Second Part in and to all real property located easterly, southerly, easterly, northeasterly and northwesterly of the division line described in Paragraph 1 of this Agreement.

TO HAVE AND TO HOLD the same to the Party of the First Part, as the owner of 94 Stoddards Wharf Road as delineated on the Plan, its successors and assigns.

3. Party of the First Part does hereby remise, release and forever quit claim to Party of the Second Part, as the owner of 96 Stoddards Wharf Road as delineated on the Plan, its successors and assigns, all of the right, title and interest of Party of the First Part in and to 96 Stoddards Wharf Road as delineated on the Plan.

TO HAVE AND TO HOLD the same to the Party of the Second Part, as the owner of 96 Stoddards Wharf Road as delineated on the Plan, its successors and assigns.

4. Party of the First Part does hereby remise, release and forever quit claim to Party of the Second Part, as the owner of 100 Stoddards Wharf Road as delineated on the Plan, its successors and assigns, all of the right, title and interest of Party of the First Part in and to 100 Stoddards Wharf Road as delineated on the Plan.

TO HAVE AND TO HOLD the same to the Party of the Second Part, as the owner of 100 Stoddards Wharf Road as delineated on the Plan, its successors and assigns.

5. Subsequent to the execution and recording in the Ledyard, Connecticut Land Records of this Boundary Line Agreement and the Plan, the real properties of the Party of the First Part and the Party of the Second Part shall be constituted and described as follows:

PARTY OF THE FIRST PART –94 STODDARDS WHARF ROAD

A certain tract or parcel of land, together with the buildings and all other improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as 94 Stoddards Wharf Road on a certain map or plan entitled “Boundary Line Adjustment Plan Property of Avery Brook Homes LLC 94, 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut Scales As Shown February 2024 Sheet 1 of 2 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”, which premises is more particularly bounded and described as follows:

Beginning at a point in the face of a stone wall at an intersection of stone walls in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214 at the southeasterly corner of the herein described tract and on the dividing line between the herein described tract and land now or formerly of the City of Groton as shown on the above referenced plan; thence running North 76°03'40" West for a distance of 46.59 feet along the face of a stone wall to an angle in said stone wall face; thence running North 82°23'30" West for a distance of 96.76 feet along the face of a stone wall to an angle in said stone wall face; thence running North 84°40'49" West for a distance of 76.04 feet along the face of a stone wall to a point, the last three (3) courses being bounded southerly by Stoddards Wharf Road A.K.A. Connecticut Route 214; thence running North 06°58'15" East for a distance of 224.25 feet to a point; thence running South 83°17'48" East for a distance of 93.79 feet to a point; thence running North 09°40'16" East for a distance of 193.34 feet to a point; thence running North 38°13'17" East for a distance of 74.00 feet to a point; thence running North 28°34'58" West for a distance of 79.45 feet to a point; thence running North 03°35'24" West for a distance of 146.42 feet to a point; thence running South 86°50'26" West for a distance of 137.74 feet to a point on the division line between 96 Stoddards Wharf Road and 100 Stoddards Wharf Road as shown on the above referenced plan, the last seven (7) courses being bounded by 96 Stoddards Wharf Road as shown on the above referenced plan; thence continuing South 86°50'26" West for a distance of 218.02 feet bounded southeasterly by 100 Stoddards Wharf Road as shown on the above referenced plan to the centerline of a stone wall at land now or formerly of the City of Groton; thence running North 40°32'06" East for a distance of 21.33 feet along a stone wall to a drill hole found at an angle in said stone wall; thence running North 38°29'05" East for a distance of 69.30 feet along a stone wall to the end of said stone wall; thence running North 41°56'38" East for a distance of 105.43 feet to a point, the last three (3) courses being bounded northwesterly by land now or formerly of the City of Groton as shown on the above referenced plan; thence running South 68°19'11" East for a distance of 248.90 feet bounded northeasterly by land now or formerly of the City of Groton to a pin with cap found; thence running South 18°10'45" East for a distance of 446.33 feet to a drill hole found at a stone wall corner; thence running South 13°34'05" West for a distance of 54.77 feet along a stone wall to a drill hole found; thence running South 13°34'05" West for a distance of 275.06 feet along a stone wall to the stone wall intersection at the point and place of beginning,

the last three (3) courses being bounded easterly by land now or formerly of the City of Groton as shown on the above referenced plan.

PARTY OF THE SECOND PART –96 STODDARDS WHARF ROAD

A certain tract or parcel of land, together with the buildings and all other improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as 96 Stoddards Wharf Road on a certain map or plan entitled “Boundary Line Adjustment Plan Property of Avery Brook Homes LLC 94, 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut Scales As Shown February 2024 Sheet 1 of 2 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”, which premises is more particularly bounded and described as follows:

Beginning at a point in the face of a stone wall in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214 at the southeasterly corner of the herein described tract and on the dividing line between the herein described tract and 94 Stoddards Wharf Road as shown on the above referenced plan; thence running North 06°58'15" East for a distance of 224.25 feet to a point; thence running South 83°17'48" East for a distance of 93.79 feet to a point; thence running North 09°40'16" East for a distance of 193.34 feet to a point; thence running North 38°13'17" East for a distance of 74.00 feet to a point; thence running North 28°34'58" West for a distance of 79.45 feet to a point; thence running North 03°35'24" West for a distance of 146.42 feet to a point; thence running South 86°50'26" West for a distance of 137.74 feet to a point on the division line between 96 Stoddards Wharf Road and 100 Stoddards Wharf Road as shown on the above referenced plan, the last seven (7) courses being bounded by 94 Stoddards Wharf Road as shown on the above referenced plan; thence running South 15°21'06" West for a distance of 446.57 feet bounded northwesterly by 100 Stoddards Wharf Road as shown on the above referenced plan to a point; thence running South 83°17'48" East for a distance of 104.43 feet to a point; thence running South 06°58'15" West for a distance of 224.93 feet to a point in the face of a stone wall in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214, the last two (2) courses being bounded southerly and westerly by 98 Stoddards Wharf Road as shown on the above referenced plan; thence running South 84°40'49" East for a distance of 28.01 feet along the face of a stone wall bounded southerly by Stoddards Wharf Road A.K.A. Connecticut Route 214 to the point and place of beginning.

PARTY OF THE SECOND PART –98 STODDARDS WHARF ROAD

A certain tract or parcel of land, together with the buildings and all other improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as 98 Stoddards Wharf Road on a certain map or plan entitled “Boundary Line Adjustment Plan Property of Avery Brook Homes LLC 94, 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut

Scales As Shown February 2024 Sheet 1 of 2 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”, which premises is more particularly bounded and described
as follows:

Beginning at a point in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214 at the southwesterly corner of the herein described tract and on the dividing line between the herein described tract and 100 Stoddards Wharf Road as shown on the above referenced plan; thence running North $06^{\circ}12'54''$ East for a distance of 246.53 feet to a point; thence running South $83^{\circ}17'48''$ East for a distance of 158.30 feet to a point, the last two (2) courses being bounded westerly and northerly by 100 Stoddards Wharf Road as shown on the above referenced plan; thence running South $83^{\circ}17'48''$ East for a distance of 104.43 feet to a point; thence running South $06^{\circ}58'15''$ West for a distance of 224.93 feet to a point in the face of a stone wall in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214, the last two (2) courses being bounded northerly and easterly by 96 Stoddards Wharf Road as shown on the above referenced plan; thence running North $84^{\circ}40'49''$ West for a distance of 32.85 feet, in part along the face of a stone wall, to a point; thence running North $82^{\circ}33'04''$ West for a distance of 97.42 feet to a point; thence running South $89^{\circ}10'58''$ West for a distance of 72.60 feet to a point; thence running South $83^{\circ}08'37''$ West for a distance of 39.51 feet to a point; thence running South $86^{\circ}48'51''$ West for a distance of 19.23 feet to the point and place of beginning, the last five (5) courses being bounded southerly by Stoddards Wharf Road A.K.A. Connecticut Route 214 as shown on the above referenced plan.

PARTY OF THE SECOND PART –100 STODDARDS WHARF ROAD

A certain tract or parcel of land, together with the buildings and all other improvements thereon, if any, situated on the northerly side of Stoddards Wharf Road A.K.A. Connecticut Route 214 in the Town of Ledyard, County of New London and State of Connecticut and being more particularly shown as 100 Stoddards Wharf Road on a certain map or plan entitled “Boundary Line Adjustment Plan Property of Avery Brook Homes LLC 94, 96, 98 and 100 Stoddards Wharf Road A.K.A. Connecticut Route 214 Ledyard, Connecticut Scales As Shown February 2024 Sheet 1 of 2 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”, which premises is more particularly bounded and described as follows:

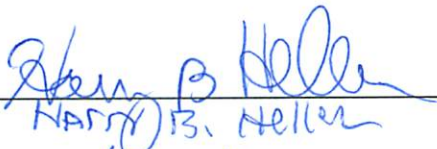
Beginning at an iron pin found at the end of a stone wall in the northerly line of Stoddards Wharf Road A.K.A. Connecticut Route 214 at the southwesterly corner of the herein described tract and on the dividing line between the herein described tract land now or formerly of Shirley P. Pandora as shown on the above referenced plan; thence running North $06^{\circ}12'55''$ East for a distance of 219.67 feet along a stone wall to an angle in said stone wall; thence running North $32^{\circ}29'47''$ West for a distance of 80.58 feet along a stone wall to a drill hole found at an angle in said stone wall; thence running North $72^{\circ}49'57''$ West for a distance of 51.72 feet along a stone wall to an angle in said stone wall; thence running North $58^{\circ}20'47''$ West for a distance of 35.08 feet along a stone wall to a drill hole


found at a stone wall corner, the last four (4) courses being bounded by said Pandora land; thence running North 20°09'28" East for a distance of 45.03 feet along a stone wall to an angle in said stone wall; thence running North 25°41'15" East for a distance of 54.14 feet along a stone wall to an angle in said stone wall; thence running North 19°59'08" East for a distance of 58.63 feet along a stone wall to a drill hole found, the last three (3) courses being bounded northwesterly by land now or formerly of Arlene Allard as shown on the above referenced plan; thence running North 19°56'17" East for a distance of 15.10 feet along a stone wall to a drill hole found at an angle in said stone wall; thence running North 39°38'52" East for a distance of 129.46 feet along a stone wall to an angle in said stone wall; thence running North 40°32'06" East for a distance of 87.23 feet along a stone wall to a point, the last three (3) courses being bounded northwesterly by land now or formerly of the City of Groton as shown on the above referenced plan; thence running North 86°50'26" East for a distance of 218.02 feet bounded northwesterly by 94 Stoddards Wharf Road as shown on the above referenced plan to a point; thence running South 15°21'06" West for a distance of 446.57 feet bounded southeasterly by 96 Stoddards Wharf Road as shown on the above referenced plan to a point; thence running North 83°17'48" West for a distance of 158.30 feet to a point; thence running South 06°12'54" West for a distance of 246.53 feet to a point, the last two (2) courses being bounded southwesterly and southeasterly by 98 Stoddards Wharf Road as shown on the above referenced plan; thence running South 86°48'51" West for a distance of 20.27 feet bounded southerly by Stoddards Wharf Road A.K.A. Connecticut Route 214 as shown on the above referenced plan to the iron pin found at the point and place of beginning.

6. This Agreement shall be binding upon the Party of the First Part and the Party of the Second Part, their successors and assigns forever.
7. This Agreement shall be interpreted, construed and enforced in accordance with the laws of the State of Connecticut.

IN WITNESS WHEREOF, the Party of the First Part and the Party of the Second Part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:




Harry B. Heller


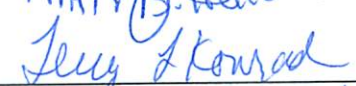
Terry L. Konrad

PARTY OF THE FIRST PART:
AVERY BROOK HOMES, LLC, a
Connecticut limited liability company

By:  _____ (L.S.)
Peter C. Gardner, its Member

PARTY OF THE SECOND PART:
AVERY BROOK HOMES, LLC, a
Connecticut limited liability company



Harry B. Heller


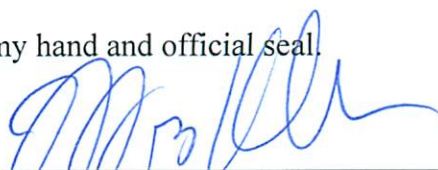
Terry L. Konrad

By:  (L.S.)
Peter C. Gardner, its Member

STATE OF CONNECTICUT)
) ss: Montville
COUNTY OF NEW LONDON)

On this the 13th day of March, 2024, before me, the undersigned officer, personally appeared Peter C. Gardner, who acknowledged himself to be a Member of Avery Brook Homes, LLC, a limited liability company, hereunto duly authorized, signer and sealer of the foregoing instrument and acknowledged the execution of the foregoing instrument to be his free act and deed, as Member aforesaid, and the free act and deed of Avery Brook Homes, LLC.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

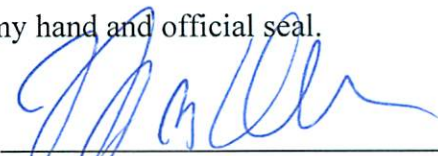


Harry B. Heller
Commissioner of the Superior Court

STATE OF CONNECTICUT)
) ss: Montville
COUNTY OF NEW LONDON)

On this the 13th day of March, 2024, before me, the undersigned officer, personally appeared Peter C. Gardner, who acknowledged himself to be a Member of Avery Brook Homes, LLC, a limited liability company, hereunto duly authorized, signer and sealer of the foregoing instrument and acknowledged the execution of the foregoing instrument to be his free act and deed, as Member aforesaid, and the free act and deed of Avery Brook Homes, LLC.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Harry B. Heller
Commissioner of the Superior Court