

FILE COPY

To: Christine Nelson, Town Planner
From: David M. Royston
Date: August 30, 2004
Re: Preserve Applications Sequence

Based upon discussions with Old Saybrook staff, Mark Branse, Mike Cronin, the Old Saybrook Planning Commission and the Old Saybrook Zoning Commission, the following is the anticipated sequence of applications to Old Saybrook regulatory agencies for total project approval.

The timing of submission of each application in the sequence is dependent upon completion of the engineering/design work and compilation of the supporting information required for each application. Some of the applications in the sequence may begin before the completion of a previous application and overlap. I will indicate where we anticipate this can be done. We understand the agencies involved may have their own view on this, which will likely control.

1. Section 56 of the Zoning Regulations allows the Planning Commission to grant a Special Exception for an Open Space Subdivision, which is a two step process. First, Under Section 56.4, "the Planning Commission will review the Conceptual Standard Plan submitted under paragraph 56.3.1 and by resolution determine the number of lots that constitute a reasonable subdivision of the land conforming to these regulations and the Subdivision Regulations (hereafter "total lots")". Total Lots "shall be the maximum number of dwelling units within the land proposed for subdivision, including the land included within any PRD."

At part of the same application, the Planning Commission also approves a Preliminary Open Space Plan.

This is the first application, which was filed today. We believe the Planning Commission will refer the Plans to staff for review, and that both the applicant and the Planning Commission want to resolve compliance issues in advance of the Public Hearing in order to expedite both the Public Hearing and the Planning Commission review process as much as possible.

Although we show more than 248 building lots on our Conceptual Standard Plan, our application is for 248 dwelling units. Our Preliminary Open Space Plan shows our lots (including a private country club lot, a cluster PRD lot and individual single family building lots), the road layout and the proposed open space. We do not show interior village detail beyond the conceptual, since that will be Zoning Commission site plan review under the Section 55 application. We show the number of dwelling units to be located on that lot (which are included within the "total lots" definition) and its relationship to road system, open space, etc.

Approval of this application under Section 56 will constitute preliminary approval, and will authorize the applicant to submit a final Open Space Subdivision Plan. Section 56.5 provides that the subdivision application will be made within six (6) months after this preliminary approval.

2. Application to the Old Saybrook Inland Wetlands and Water Courses Commission for permits for all regulated activities within their jurisdiction involved in the project. The application would consist of essentially three parts:
 - (a) The subdivision road system, and infrastructure;
 - (b) Any other residential development activity which requires a permit for activities within 100 feet of a wetland or a watercourse; and
 - (c) The country club/golf course activities.

We will need to determine from the Wetlands Commission (through staff or by a preliminary meeting) whether the Wetlands Commission wishes us to handle any of these as separate applications (as was done previously with the subdivision and country club/golf course) and whether those applications would be considered simultaneously at a single Public Hearing (as was done previously) or sequentially (which could overlap). We may start our Zoning application under Section 55 before the conclusion of the Wetland application(s), probably after the completion of the Wetlands Public Hearing(s).

3. A formal application to the Old Saybrook Zoning Commission for approval of a PRD consisting of our entire property, exclusive of the Pianta piece (except for the entry road). This parcel would be designated for future development. We would show for informational purposes its potential development as a PRD.

This application will involve:

- (a) Change in the zone of the property to PRD, which is strictly a legislative decision by the Zoning Commission;

- (b) A simultaneous approval of the site plan, architectural plans, water and sewage disposal plans, protection of surface and ground water supply and management under Section 55.3 of the PRD regulations. The site plan will have to meet all the specific standards of Section 55.6 of the PRD regulations.

Based upon our preliminary discussion with Mark Branse, the Zoning Commission and the Planning Commission, the Section 55 PRD application would precede the final Open Space Subdivision Plan. Thus, we would still need the Planning Commission to approve the actual subdivision of the property into the country club lot, the cluster lot, the three-quarter acre lots and the estate lots after PRD approval.

4. An application under Section 52.7.16 of the Zoning Regulations for a Special Exception for the private country club. This is a separate Special Exception for the use of the separately identified lot in our PRD application and our Preliminary Open Space Subdivision Application.

This application could be considered simultaneously with the overall PRD application or sequentially. Again, this is a decision that will need to be made in consultation with staff and with the Zoning Commission. They may even want to defer it until after the Planning Commission approves the Open Space Subdivision Plan, or overlap that application.

5. Application to the Planning Commission for the actual, fully engineered Open Space Subdivision Plan. This application would involve final consideration and approval with respect to the roadway system, drainage, infrastructure and the actual configuration of the subdivision lots.

The above are the basic required Old Saybrook applications. During several of those applications, there will be referrals to other local agencies/officials for a report (Architectural Review, Conservation, Park&Rec, Board of Selectmen, Police, Fire etc.). There will also be mandatory statutory referrals of most of the applications to the Regional Planning Agency, the Towns of Essex and Westbrook and/or their Wetlands and Planning Commissions, as well as to the Connecticut Water Company. Also the Connecticut DEP and Old Saybrook WPCA have regulatory approval of the Sewage disposal system. The Selectmen have to approve the road system. We are prepared to meet with, attend meetings of, or make presentations to these entities as appropriate.

There will also be an applications to Town of Westbrook agencies for public access to 153. We will keep you informed of these applications as they occur. These, will overlap Old Saybrook applications.