

**FILE COPY****PLANNING
COMMISSION
EXHIBIT #51**

November 5, 2004

Mr. Jay Northrup, AICP
Town Planner
Mulvey Municipal Center
866 Boston Post Road
Westbrook, CT 06498-1881

Re: The Preserve; Clarification of Programmatic Elements

Dear Mr. Northrup,

We are providing the following information as promised in my letter of October 20, 2004. We hope this will address the questions or concerns the Town of Westbrook (the "Town") may have. I will start by addressing Attorney Bennet's letter of October 12, 2004. Many elements he raised are similar to those in Attorney Branc's letter of June 3, 2004.

Alternative Procedures for Creation of a Public Highway

River Sound ("RS") will file all site plan applications the Town believes are legally necessary. RS started this process on October 19, 2004 by filing an application with Westbrook IWWC. Based upon Attorney Bennet's letter and with respect to creation of a public highway, the determination about how to proceed is now up to the Board of Selectman. We await the Town's direction on this matter. Once that direction is given, we will proceed as necessary.

To assist the Board in making their determination, we are providing the following additional information and clarification. Although we acknowledge our responsibility to provide this information, previously the design process had not progressed sufficiently to enable us to respond with complete and accurate information. We now are able to do that and offer the following information you requested:

The Program

1. The Pianta Parcel

Under the Section 55.6.2 of the Old Saybrook Zoning Regulations, we are allowed to develop up to eight (8) bedrooms per acre (excluding wetlands) in forms typical for residential development. However, upon completion of our due diligence and preliminary site development plans for the

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Pianta Parcel we understand the site has a carrying capacity which restricts us from obtaining the maximum allowable density.

Therefore, our proposal will show no development beyond 105 bedrooms (35 village units). We are willing to place this restriction in the Declaration of Restrictive Covenants. Development which may occur on the Pianta Parcel will be in the form of a village cluster – consistent in character with the village clusters we are proposing on the main development site and under the same covenants. We have included a Master Plan for this parcel with the Westbrook IWWC application.

The planning and engineering of the proposed 248 units and golf course has taken the Pianta Parcel Master Plan into consideration. Similarly, our traffic study, stormwater management of the roadway (Road A), community septic system and environmental studies have taken into account development on this parcel. The traffic study, previously submitted to the Town, contains a separate appendix discussing the Pianta Parcel Master Plan. The community septic system has been designed to accommodate the sanitary flows from the development of 105 bedrooms. The Town has received details on the construction of the leach area and a summary of the proposed system.

Stormwater management of Road A that traverses the site also has been coordinated with the Pianta Parcel Master Plan. However, because the Pianta Parcel Master Plan is a conceptual plan, it is still preliminary in nature. Stormwater management will be addressed in more detail when a site plan application is made to the Town of Old Saybrook. Westbrook has received the details of the Trout Brook Watershed Stormwater Management Program. The Pianta Parcel is not within this watershed.

2. Access to Trails and Golf Course

The Town of Old Saybrook has expressed interest in taking ownership in fee of all open space at The Preserve. It is envisioned that such open space will contain a circuit of earthen trails connecting to various points within the development and to open space and trails owned by Old Saybrook and that it will be open to use by Westbrook residents.

In addition, a "greenway" trail will connect from RT 153 in Westbrook to Bokum Road. This greenway will be separated from the spine road by vegetation, topography and guide rails. This greenway will also connect to trails within The Preserve's open space. An open-air pavilion, trailhead and parking area (in close proximity to Westbrook) will be easily accessible from the greenway.

The golf course at The Preserve will be open for the Westbrook and Old Saybrook high school student golf teams at no cost. The course will be private, however, membership will be open to the general public, not just to the Preserve residents.

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3. Construction Traffic

As a point of clarification, we have not submitted final site plan application for a subdivision in Old Saybrook. As discussed in the October 20 letter, that application is preliminary only. Therefore, we were not previously in a position to provide any of the information requested as it relates to construction traffic. Now that an IWWC application has been filed in Westbrook, the plans are developed to a level of detail sufficient to respond to this request.

The site plans provided as part of the IWWC application contain detailed grading plans. In addition, a general construction phasing plan has been developed and is included with the application. We have proposed three (3) development phases. We have taken care to ensure each development phase is balanced with respect to earthwork – including the development of the golf course. This will minimize the need for importing or exporting material and will thereby minimize truck traffic. Erosion control measures and the provided narrative also correspond to the proposed phasing.

Once site development begins, we estimate that the construction traffic will be on average of ten (10) trips per day.

The applications submitted to the Town of Old Saybrook in support of prior owner's development proposal included restrictions on the use of local residential roads for construction traffic. Specifically, construction traffic was barred from Ingham Hill Road. In recognition of its function and its designation as a scenic road, we anticipate the same restriction will be placed on the use of Ingham Hill Road during construction and that that this restriction will also apply Bokum Road. Accordingly, State Route 153 would serve as the primary access point for construction vehicles. Imported material will come from State Route 9, Exit 3, not from the Route 95/153 interchange.

4. The Entrance Road

Development of The Preserve includes construction of an entrance road at Route 153 in Westbrook. RS has proposed that the land for the entrance road be conveyed to the Town for a Town highway. RS also understands that specific bonding requirements will be required to ensure the approved construction specifications are met.

We appreciate that the Town feels it is reasonable to place signage on the land to be conveyed. We reaffirm our commitment to maintain the land including all plantings and lawn areas within the property.

5. Distribution of Traffic, Access to Ingham Hill Road

We respectfully request that you reconsider your position on the connection between the proposed development and Ingham Hill Road in Essex. Ingham Hill Road is a local residential street with no functionality or history as a collector road which accesses other streets. By contrast, Ingham Hill Road in Old Saybrook has evolved over time into a legitimate collector road as a result of several residential neighborhoods that have been constructed over the past

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thirty years. In addition, Ingham Hill Road in Old Saybrook provides regional access to I-95 via Exit 67 and is the only connection from its neighborhoods to the center of Old Saybrook.

Therefore, a proposed Old Saybrook connection between the development and Ingham Hill Road in Old Saybrook is more appropriate from a planning perspective. Our only concern is that this recommendation may be in conflict with Old Saybrook. We therefore recommend that this proposed connection be a strong recommendation from your commission which we will forward to Old Saybrook staff and urge their adoption in the planning process.

6. Condition of Ingham Hill Road and Bokum Road

The proposed roadway connections between The Preserve and Ingham Hill Road and Bokum Road in Old Saybrook provides a unique opportunity to dramatically improve public safety and emergency vehicle access. This is accomplished in several ways.

First, the construction of a proposed fire station with a residential apartment will provide significantly improved first responder time to residents of The Preserve, and to residents of the surrounding neighborhoods in the northern reaches of Old Saybrook, as well as the southern most neighborhoods in Essex. The need for a substation in this neighborhood has been in discussion by both the Towns of Westbrook and Old Saybrook for well over a decade, and its implementation will ensure that public safety in this region dramatically improves immediately upon implementation.

Second, the construction of the proposed boulevard between State Route 153 in Westbrook, and Bokum Road in Old Saybrook is yet again a solution to a long debated problem of finding a suitable location for an east-west connector road between these two areas. When called upon, the travel time for fire and other emergency vehicles will be significantly reduced following the completion of this connector road.

Finally, improvements are proposed at both the access points along State Route 153 and Bokum Road, and these will ensure that vehicles can safely enter, exit and travel thru the vicinity of both locations. Isolated additional improvements may be desired along Bokum Road following review by the Legal Traffic Authority (LTA) in the Town of Old Saybrook along the stretch between State Routes 154 and 153.

In aggregate, these traffic improvements not only mitigate proposed impacts to The Preserve, but dramatically improve public safety for neighborhoods its surrounds. With the proposed roadway connections and fire substation in place, this development might actually save lives over the long term.

7. Drainage Discharges

We have provided the Town with detailed drainage analysis and design as part of our IWWC site plan application. This application includes site plans depicting all stormwater management measures within each of the three (3) watersheds. In addition, we have provided the Town with complete hydraulic calculations and analysis as it pertains to the Trout Brook Watershed.

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8. Residential Units and Support Buildings

None of the support buildings within the development will be for public use or for use by the residents of the Preserve. This will be clarified in the Declaration of Covenants Restrictions.

We believe that the 10,000 SF of maintenance buildings outlined within our June 30 response is reasonable. Our proposal of 10,000 SF is in line with that of Fox Hopyard referenced in Attorney Bennet's letter. Our 10,000 SF breaks down as follows: 4,720 SF of office/workshop space, 2,700 SF of enclosed maintenance space, and 1,625 SF of chemical storage for a total of 9,045 SF. Fox Hopyard's maintenance facility is a total of 9,700 SF.

9. Nature Center

As previously mentioned, the Town of Old Saybrook has expressed interest in taking ownership of the open space system, which includes the nature center and its parking area. We will be providing the Old Saybrook Board of Selectmen a draft of the deed for their review with the suggestion that the nature center and open space be open for public use and not restricted solely to Old Saybrook residents. Our proposal to Old Saybrook is to have the nature center and trail system open to Westbrook residents on the same basis as Old Saybrook residents.

10. The Golf Course Facility

The golf course will have 375 full members and 125 social members. Members will not have to be residents of the Preserve. The memberships will be family memberships, typical of golf clubs of this nature.

Our IWWC application includes floor plans for not only the golf club house but also the maintenance area and all other "public" buildings proposed – including use areas and building elevations. In drawing parallels to other golf courses, it is necessary to consider comparable facilities that cater to market segments that are similar to The Preserve. The Town has compared the Preserve's golf course with three facilities. Two of those facilities are not similar. They are older, cater to a different market, and are open for public play.

- I. Minnechaug Golf Course, Glastonbury, CT: Minnechaug, as you noted, is a 9-hole public golf facility. It has been an unsuccessful venture. At one time, it consisted of 18 holes. Subsequently, nine (9) holes were sold and those nine (9) holes now consist of dense single-family housing, something that will be restricted from occurring at The Preserve. This is not a reasonable comparison.
- II. Fox Hopyard, East Haddam, CT: Fox Hopyard is a reasonable comparison as it is within close proximity of The Preserve's market and is relatively new. However, our research shows that the data supplied in Attorney Bennet's letter is inaccurate. We have consulted the design architect of the Fox Hopyard clubhouse and facilities. The following matrix compares Fox Hopyard with our proposal two facilities:

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<u>Use</u>	<u>Fox Hopyard</u>	<u>The Preserve</u>
a. Clubhouse (includes mechanical, storage and circulation)		
Basement	7,000 SF	8,850 SF (see item c below)
First Floor	7,000 SF	8,850 SF (see item d below)
Second Floor	3,500 SF	none proposed
Subtotal	17,500 SF	17,000 SF
b. Outdoor Pavilion for dining and events	2,300 SF	none proposed
c. Pro Shop	3,370 SF	(767 SF) included within Total of clubhouse basement
d. Cart Barn	6,540 SF	(3,600 SF) included within Total of clubhouse basement
e. Maintenance Buildings	9,700 SF	9,045SF
Total Area of All Uses	39,410 SF	26,045 SF

Fox Hopyard consists of 13,365 SF more area than what RS proposes for the Preserve.

- III. Manchester Country Club, Manchester, CT: The Manchester Country Club is a semi private club constructed in 1917. The course is just over 6,000 yards in length. Membership initiation fee is \$110 dollars with annual fees ranging from \$1,300 – \$4,000. This fee structure is the low end of golf course memberships within the golf industry and not consistent with the market area The Preserve is located. The course proposed at The Preserve is designed for a substantially different market, requiring a facility and course that considers modern amenities and features and meets the demands of the target members. Comparing The Preserve with the Manchester Country Club is inaccurate.

We are proposing a golf course and club facility that is modest by today's standards. We have restricted the amenities and uses to ensure that we respect, and adhere to, the Town's and Old Saybrook's traffic concerns. We have designed the golf course with ecology placed in the forefront. We believe the golf course will be a successful business and an asset to the community.

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11. Firehouse

The firehouse is centrally located within the proposed development. The facility is a single bay accompanied by miscellaneous support spaces. It will accommodate a ladder truck for structure fires, a brush truck to fight woodland fires and an all terrain vehicle to respond to health emergencies within the open space system and the golf course.

The firehouse also has a one-bedroom apartment to be occupied by a volunteer fire fighter. Since the Old Saybrook fire department is volunteer, no full time personnel will be in place at all times at this substation. The newly-constructed firehouse at The Preserve will assist in fighting fires and increasing the chances that a fire fighter is present at a time of emergency.

The firehouse has been designed for future expansion. Additional apartments/bedrooms can be accommodated and a second bay can be constructed. As you will see on the site plans, the site conditions and architecture has been designed to accommodate this. These plans are supplied within the October 19 IWWC application.

12. Compensation for Lost Taxes

RS stands by its offer to provide a payment in lieu of taxes to the Town. However, Town stakeholders have requested that RS not provide such an offer until local approvals have been secured. If this request has changed, please notify us immediately. We are willing to discuss a PILOT at this time.

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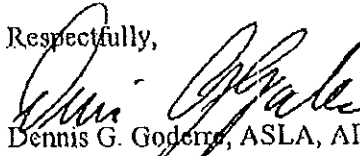
The Declaration of Restrictive Covenants

We have reviewed the proposed revisions to the Declaration of Restrictive Covenants and we are in the process of making necessary changes. Revisions will be completed and delivered to you on November 10.

RS respects the Town's needs and concerns relative to the proposed development. We look forward to working through these issues and discussing them with you during the next regularly scheduled Planning Commission meeting on November 15, 2004. We have requested to be placed on the agenda of this meeting via fax correspondence dated November 5, 2004.

We trust that this response and our future meeting will provide you with the information necessary to file a referral with the Old Saybrook Planning Commission.

Respectfully,


Dennis G. Godette, ASLA, AICP
BL Companies

cc: Tony Palermo, First Selectman
Mark Branse, Special Counsel
Westbrook Planning Commission
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