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OLD SAYBROOK PUBLIC HEARING

THE PRESERVE SPECIAL EXCEPTION  
FOR OPEN SPACE SUBDIVISION

WEDNESDAY, NOVEMBER 3, 2004, 8:00 P.M.

PASHBESHAUKE PAVILION

OLD SAYBROOK, CONNECTICUT

1           CHAIRMAN MCINTYRE: We are going to call the  
2 meeting back to order. The next order of business is  
3 the public hearing. The public hearing is going to  
4 last from eight to 11. During this process -- this  
5 is how we normally structure the public hearing.  
6 First, we'll hear from Christine Nelson, the town  
7 planner, then we'll move on to the applicant.  
8 They'll make their presentation. After the applicant  
9 has made their presentation, then we will move for  
10 public comment. Then after public comment, then the  
11 board will make some comments if they wish to. This  
12 public hearing will -- is scheduled for three  
13 Wednesdays in a row. The next three Wednesdays.

14           The only thing that I ask is that the only  
15 questions that are asked by the public at this  
16 meeting are items which the applicant is going to  
17 address tonight. There'll be other sections in the  
18 following nights that they'll address other issues.  
19 So we can get all the questions in on the specifics  
20 of tonight, I'm going to -- if someone does start  
21 straying off to other subjects, I'm going to have to  
22 politely interrupt and go on to somebody else. Time  
23 is of the essence. Eight to 11 does seem like a long  
24 time, but I have been through this process once  
25 before and it isn't a whole lot of time. It will go

1 by very, very quickly. And Larry, all cell phones  
2 off, please.

3 Yes, Jim.

4 MR. KEENEY: Just a question, please. Is it  
5 possible to have the next two meetings at the middle  
6 school, because --

7 CHAIRMAN MCINTYRE: We have just -- we were just  
8 discussing that. What I would like to say is that  
9 previously when we did this application, based on  
10 history -- I had discussions with Christine and a few  
11 other of the committee members. We didn't feel that  
12 there would be this many people. We never had this  
13 many people I think at all the meetings we had  
14 together, if we took all the people in the audience  
15 and combined them together. The planning commission  
16 never had this many people. We do apologize. If we  
17 thought there was going to be this many people here,  
18 we would have moved to the middle school originally.  
19 But based on, you know, history, the number of phone  
20 calls, the public interest that was being shown at  
21 town hall, it didn't look like there was going to be  
22 a large audience. So we thought we would come here  
23 and we thought we would have enough seating. And we  
24 do apologize.

25 MR. KEENEY: That's great, because we only

1 invited 10 percent of our group.

2 CHAIRMAN MCINTYRE: Well, we're ready for you  
3 next time. Okay.

4 PUBLIC SPEAKER: I just want to say I don't  
5 appreciate getting these lies in the mail.

6 CHAIRMAN MCINTYRE: Sir, thank you.

7 Public hearing A, The Preserve Special Exception  
8 for Open Space Subdivision, 934 acres total and open  
9 space 542.2 acres, Ingham Hill and Bokum Hill (sic)  
10 Roads, map 55, 56, and 61; lots 6, 3, 15, 17, 18.  
11 Resident Conservation C District, Aquifer Protection  
12 Area. Applicant, River Sound Development, LLC.  
13 Agent, Robert A. Landino, P.E. Action, open public  
14 hearing, continue or closed by 12-01-04. And the  
15 public hearing would have to be closed no -- is that  
16 close the public hearing no later than 12-7?

17 MS. NELSON: That's the last regularly  
18 scheduled meeting. The 1st is the last meeting that  
19 you have.

20 CHAIRMAN MCINTYRE: Okay. And deliver rate net.  
21 Christine, go ahead.

22 MS. NELSON: Mr. Chairman, tonight's the first  
23 night of your public hearing. You have 65 days  
24 within which to act. In your packets is quite a bit  
25 of correspondence from state, regional, and local

1 land use agencies as well as municipal and consulting  
2 technical experts on this application. And I've  
3 included an exhibit list. We'll keep that up to  
4 date. All the exhibits, just for the public's  
5 information, are available in the town hall for  
6 copying at the land use department.

7 And what I would like to ask our legal counsel,  
8 Mark Branse, just to give a little context as to the  
9 decision -- the regulation that the applicant is  
10 applying under and the decision that the commission  
11 will have to make.

12 CHAIRMAN MCINTYRE: Thank you.

13 MR. BRANSE: For the record, Mark Branse. And  
14 first, I am going to cover some procedural items.  
15 The first and most obvious there is a court reporter  
16 present with us this evening. That is Debrah Veroni.  
17 This was at my recommendation. The cost of this is  
18 being covered by the application fees, but it will  
19 ensure that we get a good record of this proceeding.

20 What I would ask is that anyone who speaks state  
21 your name before you speak. If you don't she'll  
22 probably stop you and ask your name if she's not  
23 sure. And that's why we also have name tags, too, so  
24 that it's easy to identify who is speaking as much as  
25 possible. Everyone try to keep your voices up so

1           that it's heard in the room and so that our -- we  
2           also are recording this meeting by tape. So we have  
3           two different methods of recording the meeting.

4                     With -- the other thing is because it is being  
5           recorded and also being covered by a stenographer, I  
6           would ask the audience to avoid cheers, boos,  
7           whatever. It just means we can't hear and it doesn't  
8           contribute to the process.

9                     Now, with regard to the content of what this  
10          hearing is about, your regulations provide, your  
11          zoning regulations provide in Section 56 for what's  
12          called an open space subdivision. And the procedure  
13          there is that the applicant brings in their property  
14          and depicts a standard subdivision, by which I mean a  
15          subdivision that complies with the underlying zoning  
16          and with your subdivision regulations and what their  
17          best guess of what the wetlands commission would  
18          allow. And they present that to you to establish the  
19          number of lots that this property can support with  
20          standard lot sizes, setbacks, road specifications and  
21          so on.

22                     Under your regulations the applicant is not  
23          required to submit perk tests for every single lot,  
24          but merely to use available data such as existing  
25          test pits or existing soils mapping, existing

1 topographic information in order to demonstrate that  
2 the number of lots in that conventional layout is  
3 feasible, that that number is realistic. That is the  
4 subject of tonight's first public hearing. The  
5 applicant tonight is going to be presenting what they  
6 believe this property can support in terms of number  
7 of lots and why they think it can support that number  
8 of lots as a conventional subdivision.

9 The second step will be for them to take that  
10 number of lots and to depict for you a clustered or  
11 an open space subdivision. That's a subdivision  
12 where the lot sizes are reduced, in this case through  
13 the use of what's called a planned residential  
14 development, a PRD, with some multifamily and some  
15 single family lots of different sizes, but the same  
16 number of dwelling units configured in such a way  
17 that large portions of the property, a minimum of  
18 50 percent in your regulations, is set aside as  
19 permanent open space deeded to the town. So the  
20 question at that stage will be do you feel that this  
21 is a good layout.

22 So step one is how many lots are they entitled  
23 to if they came in preliminarily. Step two is is it  
24 a good layout that when they reconfigure those lots  
25 and do a different patterning or a flexible pattern,

1 is it a good layout, is it better than the  
2 conventional. And if it's better can it be -- should  
3 it be altered or changed or improved or refined.

4 If the commission approves a number of lots and  
5 approves, possibly with modifications, a preliminary  
6 plan, then these applicants have six months under  
7 your regulations to come back with a detailed  
8 subdivision plan that will include things like  
9 detailed engineering of roads, erosion and  
10 sedimentation control, design of their wastewater  
11 treatment of their community wells. None of that  
12 they are submitting now and they are not required to.  
13 All right. That level of detail is not required at  
14 this stage. So we won't be getting into like erosion  
15 control details or things of that kind. We are at a  
16 more conceptual level in this proceeding.

17 The final application is required to conform to  
18 the preliminary plan as you have approved it or  
19 modified and approved it, if you approve it, of  
20 course. You may not. That's the basic format of  
21 what is happening.

22 CHAIRMAN MCINTYRE: Thank you, Mark. Christine,  
23 do you have anything else?

24 MS. NELSON: No.

25 MR. ARESCO: May we ask questions of Mark?



1           CHAIRMAN MCINTYRE: No, not at this time. I  
2 want to move this on.

3           Christine, do you have anything else?

4           MS. NELSON: Nope. That's it.

5           CHAIRMAN MCINTYRE: The applicant. State your  
6 name for the record, please.

7           MR. ROYSTON: Mr. Chairman, my name is David  
8 Royston. I am the attorney for River Sound  
9 Development LLC, which is the applicant in this  
10 special exception. Before I get too much further, I  
11 would like to express the appreciation of the  
12 applicant and in particular Sam Stern, who is the  
13 representative -- one of the representatives of River  
14 Sound Development LLC, for the number of people who  
15 are representing and working for the applicant on  
16 this project, for the commission having scheduled  
17 multiple hearings on this application. For those who  
18 have experienced this type of thing before, it  
19 certainly makes for a far fairer and more expeditious  
20 process. Also, for providing us with the staff  
21 reports. You have an exhibit list of staff reports  
22 which we received this week. We will be responding  
23 to them in written fashion by November the 10th. But  
24 it is extremely helpful to have those at the  
25 beginning of the public hearing process.

1           And finally, we appreciate the fact that we are  
2 going to be allowed to proceed on the two essential  
3 parts of this application; the first part which is  
4 the conceptual standard plan and then at a later  
5 meeting to go through our open space plan. So we  
6 will be concentrating at this meeting on the  
7 application in general, but -- and then going to the  
8 conceptual standard plan.

9           I need to do a couple of housekeeping things in  
10 terms of your record. And the first thing is to just  
11 submit a copy of the letter to the Connecticut Water  
12 Company, which under the statutes is required to have  
13 notice of the application.

14           The next thing I would like to give you for late  
15 night reading is a -- the project team  
16 qualifications. There are a number of persons who  
17 will be giving you testimony over the at least three  
18 nights, probably more, of testimony on this  
19 application. The people who are on the project team  
20 are identified and their qualifications are in these  
21 volumes. They will be introduced individually as we  
22 go through this process.

23           As Attorney Branse has advised you, this is an  
24 application for a special exception as allowed under  
25 the zoning regulations for the planning commission to

1 allow the development of the subject property as an  
2 open space subdivision, which under our plan includes  
3 a cluster housing component. By way of background  
4 the property which is the subject of this application  
5 was acquired by River Sound Development LLC on  
6 January 25th, 2002. And the property, which was  
7 acquired in a foreclosure, is the property which is  
8 shown on the site map in green, except for the small  
9 portion which is on the northeast side across the  
10 railroad connecting to Bokum Road. After the  
11 acquisition of this property, River Sound Development  
12 engaged BL Companies as the project engineers and  
13 land planners.

14 As part of that foreclosure settlement in 2002,  
15 River Sound obtained from the previous development a  
16 great deal of the maps, reports, testing data and  
17 other materials. So they started out with a certain  
18 base of information. And immediately BL Companies  
19 gave that information consideration and a fresh look.  
20 And Bob Landino, who is the principal of BL  
21 Companies, will describe some of that process for  
22 you.

23 In the summer of 2002 - it seems like a long  
24 time ago; it probably is - this commission initiated  
25 a consideration of a conservation district which

1 would accommodate large parcels and allow them to be  
2 developed as open space subdivision or in a cluster  
3 configuration. And in the summer of 2002 you started  
4 that. And River Sound Development was extremely  
5 interested in that process, because that, that  
6 process, that sort of concept offered it the  
7 opportunity to develop this property other than as a  
8 conventional standard subdivision. Because at that  
9 point that was the only regulatory scheme by which  
10 this property could be developed. A standard single  
11 lot, minimum size of one acre or one and a half  
12 acres. That was the only available methodology for  
13 development of this site.

14 In late 2002, early 2003 this commission held  
15 workshops. And you may recall that in this room  
16 there was a slide presentation which was put on by  
17 Jim Gibbons from the conservation district showing  
18 the benefits of a conservation open space type  
19 subdivision in contrast to a conventional  
20 subdivision.

21 In April of 2003, after they had acquired the  
22 main bulk of the site, River Sound Development  
23 obtained the rights to what is known as the Pianta  
24 property. Actually, it's three properties which were  
25 located on the northeast side or easterly side of the

1 project connecting to Bokum Road. This was an  
2 important acquisition, because it did provide access  
3 to this very large piece of property over a through  
4 road.

5 In May of 2003 -- we haven't even gotten to this  
6 year yet. May 2003 River Sound applied for the zone  
7 change and regulation change to allow an open space  
8 subdivision with a cluster. That regulation came  
9 into effect and was effective on September 25th,  
10 2003. And in November of 2003 River Sound was  
11 requested to hold off filing applications for a  
12 period of nine months to allow a potential purchase  
13 of the property. On August 30, 2004, some nine plus  
14 months later, this application was filed with this  
15 commission.

16 Again, just to emphasize, the special exception  
17 application is -- requires two parts. One, a  
18 conceptual standard plan. And a conceptual standard  
19 plan is one, and I'm quoting from your regulation,  
20 from the zoning regulation, which meets the area's  
21 shape, bulk and other requirements under the zoning  
22 and subdivision regulations in the Town of Old  
23 Saybrook in conforming to all the regular provisions  
24 of those regulations.

25 The applicant is then required to provide you

1 with a map. And if anybody has weighed those, you  
2 have seen that those maps require significant  
3 detail. This is for the conventional standard plan.  
4 Just this preliminary plan. Those maps are the --  
5 exactly the same maps as required under your  
6 subdivision for a fully engineered subdivision,  
7 except that you are not required to do all the lot,  
8 specific lot testing. And the reason for that  
9 exception, obviously, was that under the previous  
10 open space regulation, no one ever used it to my  
11 knowledge and no one has ever found anyone who has  
12 ever used that regulation before your amendment which  
13 was in effect from 1973 up until the new regulation  
14 came in. And the reason nobody ever used it is  
15 because it required you to do a fully engineered  
16 conventional subdivision in order to get some  
17 reduction in your lot sizes. It was never used. And  
18 the reason why was because it required such  
19 engineering detail.

20 Under this regulation you require all the basic  
21 information in terms of slopes, and wetlands and all  
22 that information regarding the character of the site.  
23 You do not require that there be the going onto the  
24 property and digging those numerous test holes. The  
25 regulation says the demonstration -- that you can get

1 a certain number of lots on your property, says the  
2 demonstration may be based upon soils type analysis,  
3 slope analysis, and potential site grading and  
4 filling, but shall not require the detailed soil  
5 testing and soil characteristics for individual lots  
6 as provided under your normal regulations.

7 In this particular application there is test  
8 data. And I think that that's important to recognize  
9 that there is testing information that has been -- is  
10 required by River Sound Development previously --  
11 previous test information. But the regulations  
12 themselves do not require any testing of those lots  
13 under the conventional plan.

14 The -- we're also required to provide you a  
15 preliminary open space plan. And the purpose of that  
16 plan is for the commission. After it's determined a  
17 number of lots, to determine a plan which meets the  
18 open space objectives of your regulations.

19 And I will make one minor correction of my  
20 colleague and good friend, Mr. Branse, who said  
21 that -- I believe you said that the open space plan  
22 would have the same number of lots as you have.  
23 Actually, it will have no more than that number of  
24 lots. Because as we go through this process, you  
25 will note that our open space plan has less lots than

1 we believe is a reasonable development potential of  
2 this property under conventional standard subdivision  
3 regulations. Our open space plan, as was indicated  
4 to the commission previously at various times as we  
5 have gone through this process, seeks a total of 248  
6 dwelling units or lots as it is defined under your  
7 regulation.

8 I'm going to turn over to Bob Landino making the  
9 formal presentation of the conventional conceptual  
10 standard plan. And Bob Landino, as you're well  
11 aware, is a -- the principal of BL Companies. He's  
12 also a former selectman in the Town of Old Saybrook  
13 and has represented this area in the legislature. I  
14 have to say that now that the election is over. He  
15 was one of the fine representatives in this area. He  
16 will introduce Randall Arendt, who was the land  
17 planner, who is very much involved in developing and  
18 looking at not only the conceptual standard plan, but  
19 also the open space plan.

20 So I'm going to turn it over to Bob Landino with  
21 respect to the conceptual standard plan. Bob.

22 MR. LANDINO: Thank you. Good evening,  
23 Mr. Chairman, Members of the Commission. Bob  
24 Landino, president of BL Companies. My purpose this  
25 evening is to do two things. One, to introduce



1           Randall Arendt and also to talk about the team that  
2           we've assembled and what we have accomplished over  
3           the last year.

4           If you recall about a year ago -- I guess a year  
5           ago September when the regulation to allow for this  
6           application was adopted by this commission and the  
7           zoning commission, we had a fairly impressive team of  
8           consultants that included our firm, which is the  
9           largest independently owned architect-engineering  
10          firm in the state, and led by our lead landscape  
11          architect and land planner, Dennis Goderre, who is  
12          with us this evening. But then we also assembled a  
13          team of biologists, including Michael Klein and some  
14          others. And I would like to just briefly talk about  
15          the major players that have been added and what they  
16          have accomplished over the last year and then turn it  
17          over to Randall so that he can discuss some of the  
18          design philosophy that went into our efforts that led  
19          to this application.

20          To begin with in my 20 plus years of doing this,  
21          Mr. Chairman, I've never seen a client with the level  
22          of commitment that River Sound has made to assemble a  
23          team of renowned consultants that by and large  
24          typically work on the other side of this business,  
25          i.e., working for towns and state agencies and

1 working to protect the environment. And the advent  
2 of traditional neighborhood design and some of the  
3 evolution of our business, which is to take a very  
4 close look at biodiversity and land forms prior to  
5 drawing lines on a piece of paper, which is what my  
6 core business is, has really changed the way we do  
7 things. And we've assembled a great team of  
8 professionals, all with that common goal of trying to  
9 responsibly develop land throughout the eastern  
10 United States with most of us. This is something --  
11 we work in about 12 or 13 states. This is the  
12 closest I've ever worked to home in awhile, but it's  
13 because I believe that this land is important. And  
14 the conservation of this land I believe is the  
15 principal objective of this proposal.

16 And in fact, prior to this, as a public  
17 official, I always supported the purchase of this  
18 land as a benchmark for the preservation of open  
19 space. That not happening and no active initiative  
20 for that to occur, we took on this assignment about  
21 two years ago. And we believe this represents an  
22 outstanding and responsible proposal to conserve  
23 land, dedicate public land for public use, and  
24 provide a sound tax base and recreational quality and  
25 improve the recreational quality of life for the Town

1 of Old Saybrook and the region.

2 Some of our experts this evening that are here,  
3 Ernie Hutton, with Hutton & Associates, has over 40  
4 years of land planning and land use planning, New  
5 York City based consultant, was with us last year.  
6 You may remember him. We've added a whole team.  
7 Michael Klein, who you may have remembered from the  
8 previous -- from previous meetings that we had.  
9 Michael and his team of biologists and wildlife  
10 experts provided a detailed inventory of the inland  
11 wetlands and water courses on the site and spent two  
12 entire seasons, growing seasons inventoring plants,  
13 animals and almost having a comprehensive knowledge  
14 of every square foot of the site in terms of what's  
15 out there and how it relates to what we propose.

16 We then brought in Dr. Michael Klemens, who I  
17 joke that invented vernal pools, but really at this  
18 stage of the game is the preeminent expert in vernal  
19 pools and has spent most of his career working for  
20 universities and institutions, teaching people about  
21 connectivity and the importance of upland areas  
22 connected to active and vibrant vernal pools. Dr.  
23 Klemens goes beyond that and has really developed  
24 regulations that are a standard nationally, for not  
25 just dealing with wetlands and vernal pools

1 generally, but evaluating them individually and  
2 determining which are the most active and how they  
3 relate to each other and how that connectivity is so  
4 important to land development, because you can create  
5 physical activity in an upland area that's not  
6 regulated by this commission. But if that  
7 connectivity is altered, it creates irreparable harm  
8 to the environment.

9 And good examples of that are, unfortunately,  
10 one of the neighborhoods I lived in, but all of the  
11 residential neighborhoods around The Preserve. All  
12 of the Schoolhouse Road subdivisions and the Ingham  
13 Hill Road subdivisions that were approved in the '70s  
14 and '80s that -- mostly because the business  
15 hasn't -- hadn't evolved at that point to the level  
16 that it's at now. So no disrespect meant to those  
17 that proposed it back then. But by and large took a  
18 piece of land, looked at your regulations, drew lines  
19 on a sheet of paper, maximized lot yields, negotiated  
20 with the town about that yield, looked at some septic  
21 issues and destroyed the environment, permanently  
22 destroyed many elements of the environment that  
23 you'll hear about in great detail tonight and in  
24 subsequent meetings.

25 In addition to that we hired Stuart Cohen, who

1 is a biological toxicologist. And I didn't know that  
2 industry existed until I got involved in this  
3 development. But he has spent his entire career  
4 looking at the way pesticides, and chemicals, and  
5 fertilizers are used on lawns. Not just in golf  
6 courses, but golf courses is one of his mainstays,  
7 but in all types of developed environments so that we  
8 can be sure that at the highest level and at the  
9 highest standard possible the application of  
10 fertilizers is controlled and that to the extent  
11 possible organic materials are used to have minimal  
12 or no impact to the environment and has worked  
13 closely with Dr. Klemens and Michael Klein through  
14 the process.

15 And some of the feedback, the legitimate  
16 concerns of neighbors over the last several years has  
17 been the concern about what damage the golf course  
18 will have on groundwater and on the environment and  
19 the world today. And the technology and signs  
20 connected with the planning and design of golf  
21 courses, if it's done responsibly, is quite a bit  
22 different than it was historically. And we are here  
23 to show you that we are making that commitment to do  
24 it responsibly and to design and maintain the course  
25 in a way that will have absolutely no adverse impact

1 to any of the biology or ecosystems surrounding the  
2 course.

3 And that leads us to the golf architect, who's  
4 not here this evening but will I think be here next  
5 week, I believe, is Arthur Hills. And if you recall,  
6 Mr. Chairman, we had inherited Jack Nicholas as a  
7 lead course designer. And there was some criticism -  
8 we weren't sure if it was legitimate or not - about  
9 the inflexibility that Nicholas's design firm had  
10 with regard to environmental considerations on golf  
11 courses. And we researched that issue and while  
12 there weren't stark examples, our interaction with  
13 the firm was such that when we began to bring  
14 conflicting interest in a room for design heads,  
15 i.e., the needs of Dr. Klemens, and Mr. Klein and the  
16 gang, it became clear that there was a basic  
17 inflexibility about making changes to whole routing  
18 that would be advantageous to the environment, but  
19 maybe create a less existing, from their point of  
20 view, golf experience.

21 And so we made the decision to move on. And we  
22 did research and identified Arthur Hills as an  
23 internationally recognized golf architect, has  
24 designed over 180 courses around the world and is a  
25 person that had the reputation. And through our due

1 diligence we confirmed that he was prioritizing the  
2 environment and did want to be flexible and  
3 understood the science of biological toxicology much  
4 better than myself. And we began to realize that  
5 that was the right team. And Arthur Hills will make  
6 a presentation with Dr. Cohen in future meetings to  
7 talk about their interaction. And their interaction  
8 not only with each other, but with our biologists.

9 We then finally -- well, not finally. Before I  
10 introduce Randall. But we finally added our team of  
11 experts, who include hydrogeologist Sam Hadock, who  
12 models groundwater for a living; Dennis Goderre, our  
13 lead landscape architect and our team of architects,  
14 land planners, civil engineers, and environmental  
15 scientists. And that built the base of our team  
16 going forward.

17 And then finally, we wanted -- we really wanted  
18 an expert. And the foremost expert, in our opinion  
19 and in many ways similar to Dr. Klemens, the creator  
20 of some of this design philosophy, what he has dubbed  
21 as conservation subdivisions, is Randall Arendt. And  
22 Dr. Arendt, who has written several books, among them  
23 Rural by Design, some of the standards in planning,  
24 Growing Greener, Crossroads, really was one of the  
25 first persons, the first professionals in our field

1           that began to look at land forms and began to break  
2           down the tried and true rules and regulations of  
3           conventional subdivisions and began to teach mostly  
4           to towns, and to boards, and commissions, and  
5           planning experts that your regulations are obsolete,  
6           that they do not represent what is in the best  
7           interest of responsible development.

8                     And the conflict that occurs with many  
9           developers is they want to play by your rules and  
10          build by your rules and take maximum advantage,  
11          usually responsibly, but by and large those rules  
12          result in, from my view and from Dr. Arendt's view,  
13          not what is in the best interest of the land, and the  
14          environment, the ecosystem, and in preserving  
15          biodiversity and all of the things that we find  
16          important.

17                    With that I would like to introduce Randall and  
18          have him make a brief presentation. Thank you.

19                    MR. ARENDT: Good evening. For the record, my  
20          name is Randall Arendt, and I'm a land planner,  
21          conservation designer, author, lecturer. I do a lot  
22          of this work, as Bob mentioned, really at the behest  
23          of communities. And I have worked with communities  
24          for the last 25 years in the mid-Atlantic states and  
25          New England advocating for more flexibility in lot



1 sizes so that we can reduce them down and reduce the  
2 impact of land clearing, and grading, and changes in  
3 environment and maximize the amount of open space.  
4 Not only the amount of open space, the quantity, but  
5 the quality of the open space and the configuration  
6 of the open space, to have less fragmentation of that  
7 open space, larger tracts and based on science, not  
8 just based on what looks pretty.

9 So I have actually not worked with a team as  
10 prestigious as this before. This really is a first  
11 class group of people in terms of the engineers,  
12 landscape architects, the environmental experts, the  
13 folks that really can inventory in detail what's out  
14 there and then, in addition, evaluate and rank those  
15 environmental resources. So it's not just here they  
16 are, but here they are and these are their  
17 prioritizations based upon the science of the  
18 research, the actual field research of counting  
19 species in various areas and projecting from that so  
20 that we can understand wildlife migration patterns  
21 and the steppingstones of the habitat areas.

22 Tonight I want to speak mostly about the process  
23 of how conservation design is different from  
24 conventional design. There's substantial differences  
25 between the two. And those two -- and those

1 differences result in some very different kinds of  
2 layouts at the end of the day. They reflect  
3 fundamentally different philosophies of how  
4 development is laid out on the ground. Proper open  
5 space subdivisions in conservation neighborhoods  
6 really start with an analysis of the site within the  
7 community's overall context. Context maps are  
8 prepared at areawide scales, townwide scales to show  
9 what is around the property in terms of drainages.  
10 And here's the site, the drainages, the roads. This  
11 shows the relationship to protected open spaces off  
12 the site.

13 There's another one here, the hydrology.  
14 Perhaps it's -- Dennis, which is the one that shows  
15 the wetland hydrology? To understand how the hydric  
16 soils are shown in this color green in here, how this  
17 is all a --

18 MR. BRANSE: Mr. Arendt. For the record,  
19 Mr. Arendt is referring to the map entitled Town Open  
20 Space - Open Space Subdivision.

21 MR. ARENDT: Correct. Thank you.

22 Town Open Space - Open Space Subdivision shows  
23 the relationship of the protected open space that is  
24 existing in dark green, that is proposed up here in  
25 dark green in the development. And the light green

1 areas being the hydric soils, the wetland areas. It  
2 doesn't make any sense to just preserve open space  
3 per se for the sake of open space. As a matter of  
4 fact, Pat Noonan, my good friend Pat Noonan, who is  
5 president of The Conservation Fund in Arlington,  
6 Virginia, wrote with Henry Diamond a seminal book on  
7 the subject. And my favorite quote from his book is  
8 "The only thing worse than haphazard development is  
9 haphazard conservation." This is from the nation's  
10 leading conservationist. There is not any  
11 organization that has conserved more land in the last  
12 25 years than The Conservation Fund. And we are all  
13 in this. All these conservationists, myself  
14 included, are trying to persuade developers and  
15 communities to adopt approaches to land development  
16 that will result in the least fragmentation of the  
17 natural resources.

18 Sort of jumping ahead a little bit, let me just  
19 show you sort of what the end result would be between  
20 a conventional subdivision is called Conventional  
21 Subdivision - Preservation Plan versus Open Space  
22 Subdivision - Preservation Plan. And you can see  
23 that there's a substantial amount of open space  
24 there. Not nearly as much as on the open space plan,  
25 but in a conventional layout there is a lot of open

1 space, but it's all fragmented. This open space here  
2 is ecologically very much less valuable than the open  
3 space that you see in here. And that's really a  
4 major point to conservation design. It's not just  
5 the quantity of open space, but the configuration and  
6 the quality of that open space.

7 The process with conservation design, as I said,  
8 begins with this areawide or communitywide map, Town  
9 Open Space - Open Space Subdivision, showing the  
10 relationship of the protected land around the  
11 property and the hydric soils and wetland matrix  
12 within the property and within, you know, quite a  
13 distance around the outside edges, to understand how  
14 the open space in the development as it's designed,  
15 how that open space can be designed to have the  
16 maximum interconnectivity so that we are preserving  
17 networks of open space.

18 The site context map is followed by a much more  
19 detailed map. And there are a number of boards  
20 here - I won't go through them tonight, because  
21 that's the subject of next week's meeting - that  
22 detail the resources on the site. We call this the  
23 existing resources site analysis map. And it goes  
24 beyond simply the wetlands, the flood plains, the  
25 steep slopes which are inherently unfit for

1 development and looks at the very buildable upland  
2 habitats, the woodland areas. And in an agricultural  
3 area it would look at farmland soils and rank them  
4 for productivity.

5 The existing features site analysis map that we  
6 prepared has inventoried every single vernal pool on  
7 the property and has ranked them and prioritized them  
8 according to their significance. Michael Klemens  
9 will speak at length about that in due course. We've  
10 identified rattlesnake dens and all sorts of other  
11 specialized habitats on the property, largely species  
12 that are not endangered or threatened but still  
13 important, very important for us to be cognizant of  
14 and design around.

15 The existing features site analysis map would  
16 also look at cultural and historical features. The  
17 stone walls, the cellar holes, the historic roads  
18 that run through this property. The other features,  
19 such as the views of the property from the outside,  
20 from public lands, from public highways, from  
21 neighboring properties. As we design the  
22 conservation areas, the most significant parts of the  
23 property can be observed and we can be responsible in  
24 terms of buffering to our neighbors so that -- to the  
25 maximum extent possible. We are good neighbors and

1 put conservation land between our development and  
2 their existing homes and neighborhoods.

3 The existing features site analysis map is a  
4 very important and much more detailed step in  
5 conservation design than is required under  
6 conventional subdivision design. This is probably  
7 why more developers don't do it. It costs more, a  
8 lot more to inventory the site and be responsible in  
9 terms of knowing what is out there. Without knowing  
10 what's out there, without having good, solid  
11 information, no one can make an informed  
12 subdivision -- informed decision. The developer  
13 can't, the site designer can't, the staff can't, the  
14 planning commission can't, neighbors can't. And  
15 that's what happens in conventional subdivisions. A  
16 pathetically inadequate amount of information, in my  
17 view, is being required.

18 In communities across the state, in communities  
19 across the region, conventional subdivision plans  
20 tell the developer show us your wetlands, your flood  
21 plains, your steep slopes, as if that's all there is  
22 that's important. Believe me, there's a lot more.  
23 There's an important -- it is to the advantage of all  
24 parties, the developer, the new neighbors, the old  
25 neighbors, the town as a whole, to have this data set

1           be very complete. And an incomplete data set is  
2           pretty useless. It's like trying to play a game of  
3           gin rummy with a 36-card deck. And that's what we  
4           are doing with conventional subdivision plans. We do  
5           not have the data set to make a truly informed  
6           decision, unlike what we are proposing here with the  
7           conservation substitution design as advocated in the  
8           four books that Bob mentioned that I have written  
9           over the years. So that documentation is much  
10          greater.

11                 And then we follow this with -- it's accompanied  
12          by a lot of site walks to perform that site analysis.  
13          And the site walks are done by the developer, by all  
14          of the members of the staff at different times, in  
15          different groups. And then we would like to invite  
16          the planning commission members to walk the property  
17          maybe a couple of different weekend days. It's a  
18          large property. Yes, you can get around it in one  
19          day, but it's a hike. And neighbors and abutters to  
20          walk the property, to see the proposed areas of  
21          development, to see the proposed conservation areas,  
22          to get a real feel for this. Because looking at a  
23          two-dimensional plan in a room or on a board tells  
24          you not enough to truly understand the property. In  
25          25 years working in this business, I always see

1 things differently when I go out on the property  
2 versus looking at a detailed site analysis map. They  
3 are necessary, but not sufficient. So that's another  
4 part of the process that makes the end result as  
5 different as chalk and cheese.

6 Finally, a major difference between conservation  
7 design and the conventional design is the  
8 conventional design begins with laying out the  
9 streets and drawing in the lot lines. And that's it.  
10 That's all you require. That's all that is done is  
11 house lots and streets. Of course there's storm  
12 water management areas. They fit in there under the  
13 gray infrastructure planning, too.

14 Conservation design on the other hand begins  
15 with designing the conservation areas. In a  
16 conventional plan by and large the conservation areas  
17 are the leftovers. They are what basically is not  
18 terribly useful to the developer. It's the  
19 unbuildable land. And that just kind of falls off  
20 the table and they color it green, say these are your  
21 conservation areas. It is designed by default.  
22 Whereas, on a conservation design it's the first  
23 thing that is designed. The conservation lands are  
24 designed on the basis of the site context map, the  
25 existing features site analysis Map, and the site



1 walk.

2 So the four-step process that I propose in  
3 several of my books begins with step one, identifying  
4 the conservation areas. Step two is locating the  
5 house positions. We are not even to streets yet.  
6 Locating the houses so that those houses are at a  
7 good relationship to the open space for a high  
8 quality of life for the residents of that  
9 conservation neighborhood.

10 Thirdly, I like to connect the dots. The dots  
11 of all the houses. And that's where the streets and  
12 trails are designed, step three. And step four is to  
13 drop in the lot lines. And some developments have no  
14 lot lines, because they are totally condominiumized.  
15 A couple of my favored ones are here on the  
16 Connecticut coast, out in Madison and Guilford. And  
17 they are featured in worldwide design. No lot lines.  
18 Lot lines are really not that important. Lot sizes  
19 are not important to me. What's important to me is  
20 the resulting pattern of the conservation land and  
21 its wholeness and its integrity. As we can see here  
22 there's a whale of a difference between the two. So  
23 the results are different, because the process is  
24 different.

25 And I've devoted a great number of years of my

1 career to advocating for this. Here in Connecticut,  
2 in probably 45 different towns, I've given slide  
3 shows on advocating for conservation design and an  
4 upgrade in the ordinances, reflecting a lot of the  
5 things that you and Old Saybrook have put into your  
6 ordinances in very recent years.

7 Let me just close by saying one of the great  
8 things about putting these new standards in your  
9 ordinance is that conservation land is generated  
10 through the development process using the economic  
11 engine of the private sector; the developer using his  
12 dollars to spin off high quality conservation land,  
13 not just the leftovers. In an era of tight budgets  
14 and fierce monetary resources to purchase all the  
15 land that we would like to purchase in an ideal  
16 world, the very next best thing I believe is  
17 conservation design. Done properly with -- informed  
18 by a very thorough site analysis of all the natural  
19 and historical total features on the property.

20 Communities that I have helped adopt regulations  
21 such as you adopted here have preserved literally  
22 thousands of acres of land within a decade, thousands  
23 of acres of land within a decade and in fast growing  
24 communities in the metropolitan areas around  
25 Philadelphia, New York, Hartford, Boston and other

1 parts of the country, too. Detroit in fact.

2 So like the Energizer bunny this keeps going on  
3 and on. Every time a developer comes in,  
4 conservation land is protected. And not just  
5 haphazardly and not just as the leftovers, but in a  
6 coordinated way that makes sense regarding the  
7 overall context of the protected lands in your  
8 community; the potential for protected lands in your  
9 community; and the existing areas of hydric soils,  
10 wetland soils, wildlife corridors, and significant  
11 habitats.

12 Tonight I have been asked to speak briefly about  
13 the process that makes these two results so  
14 different. They are not different for minor reasons.  
15 They are very major reasons. It's a fundamental  
16 shift in the way that we are looking at the property  
17 in the absence of public money to preserve open space  
18 on this scale.

19 MR. ARESCO: Can I ask questions?

20 CHAIRMAN MCINTYRE: Not yet. Not now. We'll  
21 save them to the end.

22 MR. LANDINO: Before I conclude with a  
23 discussion of the conventional subdivision plan and  
24 the work surrounding that effort, I just wanted to  
25 make one small correction that Dr. Klemens made, make

1           sure that we got into the record there are no  
2           rattlesnake dens on the site. There are ribbon snake  
3           dens, black razor and black rat snake dens, correct?

4           MR. ARENDT: I stand corrected. They were snake  
5           dens.

6           MR. LANDINO: A snake's a snake to me.

7           MR. HUTTON: Dennis was breaking out in a sweat.

8           MR. LANDINO: Thank you. That's a good segue to  
9           talk about what we have done in the past year and to  
10          present the conventional subdivision plan, which is  
11          not what we propose. And it's a little confusing to  
12          the public, because this process is not the simplest,  
13          but it makes sense.

14          And essentially what Mr. Branse described at the  
15          outset of the meeting is correct. The purpose of  
16          producing the conventional plan is to demonstrate  
17          what lot yield would be practical and possible were  
18          we to develop in this manner and then to compare that  
19          against our open space master plan. And then really  
20          that's its sole purpose. And then to give this  
21          commission an opportunity to make evaluations whether  
22          the open space plan makes more sense, which would  
23          give us the green light to move forward with detailed  
24          design. So tonight's discussion is really not what  
25          we like to do, but what is required as a part of the

1 process.

2 Over the past year we performed many and more of  
3 the things that Randall described. We spent a lot of  
4 time inventoring biology and wildlife. And what  
5 became clear was some of the things that we talked  
6 about earlier. The biological connectivity of the  
7 vernal pool systems were something that became of  
8 paramount importance to the preservation of  
9 contiguous open space on the parcel. And we  
10 performed a variety of studies where we actually  
11 counted egg masses of amphibians and reptiles during  
12 the seven- or eight-month period I would guess, but  
13 Dr. Klemens will correct me if I'm incorrect on that,  
14 and graded those pools in accordance with his  
15 requirements and the standards that have been  
16 developed over time. And by rating the quality of  
17 the vernal pools and the value, hence the value of  
18 those pools, as they integrate with the wetlands  
19 systems, we were able to combine that information  
20 with our understanding of the wildlife corridors and  
21 a complete understanding of an inventory of wildlife,  
22 plants, and animals throughout the land.

23 We were able to build models that will show you  
24 in later meetings that identify, from our point of  
25 view, the most important parts of the land from a

1 biodiversity perspective. And this becomes one of  
2 the critical planning tools that we use in the  
3 development of our models. And in connection with  
4 what Randall was describing earlier, where we begin  
5 to look at placing homes and then ultimately how we  
6 place roads and create disturbance for the  
7 development and avoid -- to the extent possible avoid  
8 valuable environmental and ecological resources.

9 But that's not what we did for the plan tonight.  
10 Tonight we looked at your regulations, and we met  
11 your regulations, and we developed a conventional  
12 plan which is this board entitled Conventional  
13 Subdivision Plan. And we tried to, to the extent  
14 possible, to give you an apples to apples comparison,  
15 emulate the road alignments with the open space plan.  
16 But with the purchase of the Pianta parcel in the  
17 open space plan, we did not show that here, because  
18 that land is not a part of our lot yield and we  
19 didn't want to artificially increase the number of  
20 lots and we wanted to give you a more conservative  
21 result. So that's the only real difference between  
22 the two plans, except that we laid out roads first,  
23 which is what you would do in a conventional plan,  
24 trying to avoid wetlands and steep slopes. And then  
25 once we developed our road network, we did as much of



1 fragmentation. You're going to hear over time likely  
2 the opposition will talk about the fragmentation of  
3 this land. And it's a legitimate and important idea  
4 and one in which becomes the crux of what this --  
5 what planning this site is all about. Certainly the  
6 best avenue to avoid fragmentation is no development,  
7 and there's no debating that. But in comparison,  
8 especially as it relates to fragmentation, as it  
9 relates to all of the issues we discussed tonight,  
10 what is the comparison of the fragmentation of a  
11 conventional layout versus what we will present next  
12 week. And without getting into that detail, you can  
13 see the side-by-side comparison simply by looking at  
14 the two graphics together.

15 And the second graphic I'm comparing it to is  
16 the Open Space Subdivision - Preservation Plan as  
17 opposed to Conventional Subdivision - Preservation  
18 Plan. The dark green showing the land that remains  
19 undeveloped. The fact that it's significantly  
20 greater is certainly important to this commission,  
21 but the fact that it results in much less fragmented  
22 land is a critical issue to communicate. And more  
23 importantly, as we get into the detail of the biology  
24 of this land, you will see that it wasn't just about  
25 numbers. It wasn't just about showing as much green



1 as possible. It was about understanding the habitat,  
2 understanding flora and fauna, understanding the  
3 wetlands systems, the connectivity between vernal  
4 pools and the upland connectivity between vernal  
5 pools, and all of that falling into place in  
6 developing our open space planned proposal. That's a  
7 summary of our conventional subdivision plan.

8 Mr. Chairman, I would be happy to answer  
9 questions and introduce any experts that help along  
10 the way. Thank you.

11 CHAIRMAN MCINTYRE: Okay. What we'll do next  
12 is -- what I would like to do is open it up to the  
13 public for comment. After the public has -- either  
14 for or against either the conventional or what's been  
15 proposed here, open space, and after that, after you  
16 give some public comment, then what we'll do is the  
17 board will have the opportunity to ask questions.  
18 When the public comments we basically -- you're  
19 commenting to the board. And after you've asked your  
20 question, some of your questions will be answered;  
21 some of your questions will be just statements. If  
22 there's a question that can be directly answered by  
23 the applicant and if the applicant feels that he  
24 wants to address it, I will, you know, ask the  
25 applicant to address it at that time. They do not

1 have to address your concerns at this point in time.  
2 Just the main point that is to be made is that we are  
3 listening to what you are saying and so is the  
4 applicant.

5 At this time I would like to open it up to the  
6 public. Once again, remember, if you are going to  
7 speak, I need you to state your name and your address  
8 for the record. Is there anyone in the public  
9 wishing to speak? Yes.

10 MR. KEENEY: James Keeney. I'm with the  
11 Alliance for Sound Area Planning, and we represent a  
12 very small group of folks that are interested in what  
13 The Preserve plan is.

14 They spoke of their team, and it was very  
15 impressive. And I wanted equal time to talk about  
16 our team. There's three people. There's Belinda  
17 Morano, who is back there, and she typed some e-mails  
18 from time to time. There's Suellen Kozey McKeown,  
19 who would be here to night, but she's --

20 MS. MCKEOWN: I'm here.

21 MR. KEENEY: She's here probably with her baby.  
22 And there's myself. And my environmental expertise  
23 is I have been lost in the woods twice, but by  
24 evidence of being here I do know how to get out. I  
25 only point this out to say that we are just a

1 grassroots group. We do not have the qualifications  
2 that have been described here or the expertise, but  
3 we are very interested in making sure that the town  
4 is well represented. And we want you to know, as the  
5 planning commission, that you have our complete  
6 support. And we will try to be as respectful as  
7 possible, and ask intelligent questions, and look for  
8 good answers. Thank you.

9 CHAIRMAN MCINTYRE: Thank you, Mr. Keeney.

10 Anyone else from the public wishing to speak?

11 Yes, sir.

12 MR. ROTHENBERGER: Yes. My name is Charles  
13 Rothenberger. I'm with the Connecticut Fund for the  
14 Environment.

15 And going through the public comments that have  
16 been submitted into the record previously, some of  
17 the expert analyses that the planning commission has  
18 already solicited on the proposal based upon the  
19 information provided by the applicant, because we are  
20 talking about the conventional subdivision plan here  
21 and the proposed lot yield of that conventional  
22 subdivision under the current regulations which would  
23 set the ceiling for what can be proposed moving  
24 forward. The applicant, based upon the  
25 representations there, has claimed that they can get

1 I believe it is 293 lots out of that property. I  
2 know that there's been at least one engineering  
3 analysis that was actually commissioned by  
4 yourselves, the planning commission, that suggested  
5 that that was not actually feasible, that reduced  
6 that lot yield by about a third. So -- and I don't  
7 have the exact lots with me, although I can certainly  
8 bring them to the next meeting.

9 But in terms of comparing these two maps, what I  
10 would ask you folks to consider is just sort of  
11 omitting a third of the lots on the conventional  
12 subdivision plan that you see there and then  
13 comparing that with the open space subdivision,  
14 which, you know, looks very nice and very green,  
15 although there's tellingly two different shades of  
16 green, suggesting that the proposed golf course  
17 layout of the open space subdivision. Although the  
18 legend doesn't classify it as such, as open space on  
19 the map, certainly creates the impression, as you  
20 contrast the varying shades of green with the yellow,  
21 that in fact this is all undisturbed open space  
22 that's going to be preserved moving forward.

23 I would submit anybody that's familiar with golf  
24 course construction, never mind the maintenance,  
25 application of pesticides and fertilizers moving

1 forward and the fact that I don't think anybody would  
2 argue that golf courses actually provide the same  
3 habitat function as undisturbed real open space,  
4 would consider that a true comparison. So what you  
5 see is although there may be a slightly larger amount  
6 of open space in the -- with the open space  
7 subdivision as proposed, the contrast is actually  
8 much less, it would seem, than would appear to be  
9 simply by looking at those two maps. And I don't  
10 know if the applicant would care to sort of respond.

11 CHAIRMAN MCINTYRE: Chris, do you have anything  
12 to add to that? Were you involved in the process of  
13 determining lot yield, how the process went?

14 MS. NELSON: Mr. Chairman, in your packets you  
15 have all the staff reports, which is what  
16 Mr. Rothenberger is referring to. And we did review  
17 the open space subdivision -- excuse me, the  
18 conventional subdivision with regard to the yields.  
19 I can't summarize it, but we have our own reports.

20 MR. LANDINO: We received that response. And  
21 admittedly, the real field data that I referred to at  
22 the end of our presentation was not included in our  
23 submission as it was not a requirement. Your  
24 engineering consultant correctly pointed out  
25 questions based on surficial information, information

1           that's generally available for the entire town. And  
2           we need to respond to that formally. And we have  
3           real data to respond to virtually all of it, and  
4           we'll be doing that by early next week. So I think  
5           that's in process. And before any conclusions are  
6           drawn, I think we should bring all that data to the  
7           table and then ultimately the consultant will make a  
8           recommendation to you.

9           CHAIRMAN MCINTYRE: Anyone else from the public  
10          wishing to speak? Gentleman in the back.

11          MR. KELLEY: Mike Kelley. I live on Sheffield  
12          Street.

13          CHAIRMAN MCINTYRE: Can you speak up, sir.

14          MR. BRANSE: Or can you come forward.

15          MR. KELLEY: Mike Kelley, K-E-L-L-E-Y. I live  
16          on Sheffield Street. I just have a general question.  
17          Is a managed golf course actually considered to be  
18          open space under the town regulations?

19          MR. BRANSE: I can answer that. For the record,  
20          Mark Branse. No, it is not. The regulation states  
21          that the open space -- that open space does not  
22          include the golf course. So the numbers that you're  
23          seeing for open space in their proposed design are --  
24          do not include the golf course; is that correct,  
25          Mr. Landino? I should just confirm; is that correct?

1           MR. LANDINO: Yes. The open space, the  
2           undisturbed land that we have proposed to dedicate to  
3           the town for public open space is approximately  
4           518 acres. And in addition to that we propose  
5           approximately another 70 acres or 75 acres, Dennis,  
6           that would be prohibited from disturbance in  
7           conservation easements on the proposed lots. So that  
8           if you had an acre lot or three-quarter acre lot, a  
9           piece of it would be untouchable through a  
10          conservation easement.

11           In addition to that the golf fairways  
12          themselves, the disturbed areas, that would be lawn,  
13          which admittedly have some compromised wildlife  
14          capacity, open lawn versus a wooded, undisturbed  
15          parcel but still not pavement, that totals  
16          approximately 145 acres. So when you look at what  
17          actually is left, that's roads and homes. It's the  
18          difference between those numbers and the total area,  
19          which is 893 acres I think it is.

20           CHAIRMAN MCINTYRE: Thank you, Bob. Anyone else  
21          from the public wishing to speak? Yes, ma'am.

22           MS. CUNCAN: Barley Hill Road, Jean Cuncan. So  
23          am I to understand that the light green that's all  
24          over there, is that -- all those little pieces are  
25          part of the golf course?

1           MR. LANDINO: Yes. The light green are the  
2 fairways for the course itself. It's a very small  
3 scale. So I can give you distances if you showed me  
4 where your house was after the meeting or something,  
5 but it's farther than you would think. But that's  
6 exactly where the fairways are proposed to be  
7 located.

8           MS. CUNCAN: My point is that there -- it seems  
9 like there's a lot of them spread out all over the  
10 place.

11          MR. LANDINO: There's 18. I don't golf, so -- I  
12 think I should at this point.

13          CHAIRMAN MCINTYRE: Anyone else from the public?  
14 Yes, sir.

15          MR. CAMPBELL: Yes. John Campbell from Crowley  
16 Drive. I guess my question would be just to do a  
17 comparison based on what this gentleman was saying.  
18 If you knocked off a third of the homes on the  
19 standard subdivision, did a footprint comparison of  
20 the geography on that versus the geography with the  
21 planned subdivision and the golf course where the  
22 total square footage comparison would be a developed  
23 plan.

24          CHAIRMAN MCINTYRE: That's going to be one of  
25 our tasks, to determine that, what the developer is



1 presenting. And all of the documentation -- we have  
2 reams and reams of paper. We are all going to be  
3 reading about that, and that's going to be one of the  
4 processes that we are going through. And one of the  
5 important issues tonight of what's being presented is  
6 are the figures -- one of the questions is are the  
7 figures that the developer is presenting to us  
8 accurate, is the yield really what he could get. And  
9 that's one of the things we will be looking at as a  
10 board. And I'm sure once the board gets to start  
11 asking questions, there will be questions in that  
12 direction and I think they'll answer your questions  
13 more directly that way.

14 Yes, ma'am.

15 MS. BAKER: Arlene Baker, Old Saybrook. I just  
16 was curious simultaneous to this discussion are our  
17 legislatures looking to get the state to buy this  
18 property so we don't have to go forward with any of  
19 these issues?

20 MR. LANDINO: If I may, Mr. Chairman.

21 MR. BRANSE: They have no jurisdiction over  
22 that. As of this time it's private property. The  
23 issue -- before it can be developed. So the issue  
24 before the commission is conventional design, how  
25 many lots, if an open space is it the proper pattern.

1 But that's an issue. It's just not their issue.

2 CHAIRMAN MCINTYRE: Anyone else from the public  
3 wishing to speak? Yes, sir, in the back.

4 MR. KRIETER: My name is Chris Krieter, and I  
5 live on Merritt Lane. Just some factual points. Of  
6 the lots planned how many are in Old Saybrook versus  
7 Essex and Westbrook?

8 CHAIRMAN MCINTYRE: Is that your only question  
9 or do you have others?

10 MR. KRIETER: I have just --

11 CHAIRMAN MCINTYRE: Okay. We'll just wait until  
12 he finishes.

13 MR. KRIETER: Currently what are the access  
14 points from Old Saybrook property?

15 With the plan as proposed with the lots, is any  
16 fill required conceptually in the plan and how much?

17 How long would this development process take?

18 And could you describe the logging efforts that  
19 might be required and the traffic generated by the  
20 construction efforts.

21 CHAIRMAN MCINTYRE: Before you start, Bob, a lot  
22 of the questions that you just asked are not totally  
23 pertinent to tonight and they probably will be better  
24 off addressed at -- once there's an official  
25 application. But I'll let Bob address them in a

1 manner which he feels best.

2 MR. LANDINO: Some we have and two or three at  
3 the end, because it requires a much more detailed  
4 analysis, we don't have but we will have if this goes  
5 to the next phase.

6 The first one was all of the residential lots  
7 are proposed in Old Saybrook. There is an appendage  
8 that we need for access to 153 in Westbrook, which,  
9 if you don't mind, Mr. Chairman, I'll just point.  
10 There's another board there to look at, which is this  
11 small piece that's not shaded in green. That's a  
12 couple of acres in size, but it blocks the Old  
13 Saybrook land from Route 153. So there's a road  
14 proposed through that land, no homes. We own  
15 about -- we. I don't own anything, but my client  
16 owns about 72 acres in Essex. That is this shape  
17 here, again, not colored. And this appendage here,  
18 two parcels, which are not a part of this PRD. And  
19 we are not proposing any development in Essex at this  
20 time. That may be something that happens into the  
21 future, but it's not a part of our proposal.

22 Finally, the Pianta property, which is not a  
23 part of the Tim Taylor project that I was not  
24 involved in but that Dave Royston described as the  
25 33 acres that gives us frontage on Bokum Road, is

1 included in our PRD. So it's part of the  
2 application. No lots are proposed on that site. So  
3 the bottom line is if we were ever to propose any  
4 home sites on that land, we would have to come back  
5 with an amended PRD. But that's nothing that's  
6 proposed currently. I think that answers the first  
7 question.

8 Access is proposed at Route 153 in Westbrook at  
9 the piece that I described just a moment ago. And  
10 then we have a collector road that winds through our  
11 site, goes over the valley railroad tracks with a  
12 bridge and then outlets at that Pianta property at  
13 Bokum Road. And there's full access at both  
14 locations. Most of the traffic will enter and exit  
15 from the Westbrook side, because that's the  
16 residential arterial that gives motorists regional  
17 access to I-95 and Route 9, although certainly --  
18 some traffic will certainly use Bokum Road if you're  
19 going to Essex and using Route 9 and heading north.  
20 If you live near that site, it might be more  
21 convenient.

22 We are proposing a connection to Ingham Hill  
23 Road. And the proposal currently is to have that be  
24 for emergency access only, although that may change.  
25 There's been discussion by several folks along the

1 way that there may be a desire by the Town of  
2 Westbrook or the Town of Old Saybrook to condition it  
3 full access on Ingham Hill Road, because it provides  
4 a better connection to the community and provides yet  
5 another way to enter and exit the site. But that as  
6 of yet is not part of our proposal.

7 What was the next item?

8 MR. GODERRE: Fill.

9 MR. LANDINO: We are proposing a balanced site,  
10 which means that all the cuts and fills will occur on  
11 site. It's large enough so that we have the  
12 flexibility to be able to do that. There is a but to  
13 that, though. Our community septic system will  
14 require special fill that needs to be brought in from  
15 an outside source. So the only material that will be  
16 imported to the site will be the spec fill, the  
17 special fill that the DEP requires us to bring into  
18 the site. I don't have those quantities this  
19 evening, but they are significant. They are not  
20 small.

21 What was the next one?

22 MR. GODERRE: How long will the development  
23 take?

24 MR. LANDINO: Well, it depends on who you ask.  
25 The developer would like it to happen in about two or

1 three years. Reality is, all kidding aside, probably  
2 seven to ten years from the point at which  
3 construction commences given the absorption rate.  
4 One of the discussions that went on last year that we  
5 didn't get into tonight was that we've proposed four  
6 different product types, which include a duplex or a  
7 townhouse environment that looks -- hang on a second.  
8 Where is the graphic of the -- this is a rendering of  
9 the village itself. And these are homes that will be  
10 more or less of the density of Main Street in Essex,  
11 except without the businesses. And they will be  
12 single family detached homes and two-family homes.  
13 And that's one product type. They will be  
14 maintenance free, in the village, a walk to the  
15 clubhouse, a walk to golf, a walk to a town green or  
16 a town center. And that's two product types.

17 We also are proposing, in the northern reaches  
18 of the site, estate homes, which will be million  
19 dollar plus homes, high end, you know, probably in  
20 the million to \$1.5 million range. The village homes  
21 are in the 400 to \$550,000 range. And then something  
22 in the middle, which is more typical of what's in the  
23 area, three-quarter acre, detached residential lots  
24 that are located in different parts of the site that  
25 will be more typical of three-, four-bedroom colonial

1 styled homes.

2 The reason for that background is that's  
3 designed to accommodate as many of the market demands  
4 as we believe need to be accommodated in this region.  
5 And we prepared a study that reinforces that that was  
6 presented to this commission last year. And we  
7 believe that we -- I think we demonstrated a  
8 seven-year absorption rate given the current market  
9 conditions of that entire development. Figure two to  
10 three years for construction and you're looking at  
11 probably a ten-year period before -- from the point  
12 it starts to the point that it's fully developed.

13 CHAIRMAN MCINTYRE: Thank you.

14 MR. LANDINO: Was there others?

15 MR. GODERRE: Logging and traffic.

16 MR. LANDINO: Logging. There's clearing,  
17 absolutely. Clearing the areas that are developed.  
18 Interestingly enough, when my client, River Sound  
19 Development, came to me and said that they were in a  
20 foreclosure proceeding with the original developer,  
21 the original developer was permitting in this  
22 environment and logging for money at the same time  
23 and doing it mostly without permits and doing some  
24 things that were quirky to be polite. We are  
25 proposing no logging on the site. But once we have

1 approval there certainly will be clearing of the  
2 areas that are required for development. The exact  
3 amounts of that I can't give you, but we will when we  
4 get to a detailed design phase. The traffic  
5 connector with that would also need be to computed as  
6 part of a detailed analysis.

7 In terms of traffic on the site, this proposal  
8 differs from the old proposal in that there is no  
9 banquet facility proposed. There is no opportunity  
10 for large events, which is a compromise or a  
11 concession by the applicant, who obviously would like  
12 to have that as part of their country club  
13 environment. We are proposing a 75-seater grill room  
14 to support the members of the club and members in the  
15 community. But there is no major restaurant, no  
16 300-seat venue. So the traffic would be limited to  
17 375 members of the club and the homeowners themselves  
18 of 248 occupied homes. Some of that will overlap  
19 certainly. There will be a certain scant percentage  
20 of the homeowners/club members, and those numbers  
21 will be presented at a later date when we have the  
22 analysis.

23 Was there anything else, Dennis?

24 MR. GODERRE: No.

25 MR. BRANSE: With regard to traffic you have



1 filed a preliminary traffic study.

2 MR. LANDINO: Yes. It is on file. That shows  
3 those numbers.

4 CHAIRMAN MCINTYRE: Anyone else for the public?  
5 Way in the back.

6 MR. FENN: My name is Bob Fenn.

7 CHAIRMAN MCINTYRE: Can you step up, Bob.

8 MR. FENN: I would be interested in knowing how  
9 many acres will be taken off the tax rolls and how  
10 many will remain on the tax roll.

11 MR. LANDINO: Mr. Chairman, our proposal is to  
12 take 500 plus acres and dedicate it to either the  
13 town or its assign as public open space. It will be  
14 a park. It will be basically publicly accessible.  
15 We're proposing a nature center, an education venue,  
16 parking associated with that. And there will be a  
17 decision as to whether trails are created for that  
18 environment or whether the natural trail system will  
19 remain as is.

20 What will happen are tax -- our fiscal  
21 analysis - that, again, was presented to this  
22 commission about a year ago - shows that over a  
23 20-year period there will be a net gain to the town  
24 of about \$19 million. And I can get into the  
25 detailed discussion of that. There are reports on

1 file. And at some point in the detailed process  
2 we'll make a presentation with an expert. I am not  
3 one -- I just have knowledge of the report, but it is  
4 a fairly significant net tax gain to the Town of Old  
5 Saybrook.

6 CHAIRMAN MCINTYRE: Any other questions? Yes.

7 MS. MAYNARD: Barbara Maynard, Ingham Hill Road.  
8 I just recently, Bob, picked up this plan, the top  
9 sheet. And it did show at the end of Ingham Hill  
10 Road a gated emergency access. Now, suddenly that is  
11 being changed or we are softening it up so Ingham  
12 Hill Road could possibly be used as an access and  
13 exit from that development.

14 MR. LANDINO: Mr. Chairman, no, we are not  
15 softening. But there have been comments made in  
16 reviews by both the Town of Westbrook and some  
17 discussion by the Town of Old Saybrook that it would  
18 be more desirable to open that up. I believe someone  
19 from the zoning commission made a pretty strong  
20 public statement in one of our referral meetings that  
21 it was their desire that that road be opened up for  
22 traffic, because it would provide economic  
23 opportunities for businesses in the community to be  
24 more accessible to residents of The Preserve. That  
25 is our proposal. But given that public comment by

1           that zoning commissioner, who was pretty emphatic,  
2           and given a review letter by the Town of Westbrook, I  
3           wanted to make the public aware that that may change  
4           based on those comments over time.

5           MS. MAYNARD: I am not quite aware of who the  
6           zoning commissioner is or how or where they are of  
7           the conditions on Ingham Hill Road. I will be  
8           prepared in the future to bring you traffic  
9           statistics. It's a very narrow country road. It's a  
10          dead end. It has become a scenic road recently. The  
11          speed limit is now posted at 25 miles an hour and  
12          there are times when it should be lower. There are  
13          many, many school buses. There are now hundreds of  
14          cars from the intersection of Elm Street by Lake Rock  
15          View and Ingham Hill Road. All the cars that go down  
16          Ingham Hill Road have to go someplace else, either  
17          lower part and come out on Route 1 or they have to go  
18          under the railroad overpass. This is a dangerous  
19          situation now. Many, many people up there are  
20          complaining about the traffic, the speed, the amount  
21          of traffic. We can't do anything about that. People  
22          that live up there certainly have to use that road.  
23          But I would please recommend that you think very,  
24          very carefully before you encumber an already too  
25          busy road with more traffic. Thank you.

1                   CHAIRMAN MCINTYRE: Thank you. Anyone else?

2                   Yes, sir.

3                   MR. FISHER: Bob Fisher, Ingham Hill Road,  
4                   Essex.

5                   MR. BRANSE: What was that name again?

6                   MR. FISHER: Bob Fisher. I've got several  
7                   questions. The first one really pertains to the --  
8                   since this is an open meeting, I guess for planning  
9                   on this particular proposal is the -- its impact on  
10                  the overall environment. I'm not talking about  
11                  species or anything like that. I'm talking about  
12                  traffic. I think, obviously, the proposal using  
13                  Bokum Road as one of the main access points to this,  
14                  I would invite anybody on this planning commission to  
15                  drive up and down -- drive up to Essex on Bokum Road  
16                  tonight when there is not any traffic on it and tell  
17                  me it's going to be safe to carry the kind of traffic  
18                  that's obviously being proposed. I don't drive on  
19                  Bokum Road at night. I came down on nine to get  
20                  here.

21                  The other things that surround this site and its  
22                  impact on that also should be considered.  
23                  Specifically, one of my concerns is the adequacy of  
24                  the water supply to support a golf course and the  
25                  surrounding neighbors, wells and so forth, and the

1 interaction between the two. I noticed in I believe  
2 it was in the Pictorial Gazette something. The  
3 proposal calls for well water to support the golf  
4 course and Connecticut water to support the  
5 residences. I think they got that backwards. But  
6 nevertheless, as a person who actually lives adjacent  
7 to this property here, I am very concerned about the  
8 adequacy of the water. And all of us I think around  
9 this property depend on well water. We don't have  
10 piped in water. And also, the protection of that  
11 water. I know we have all kinds of experts here, but  
12 I would also really be interested in hearing a lot  
13 more about that as we proceed through these  
14 proceedings, and I am sure that you would, too.

15 But I think that the impact of this development  
16 and the surrounding area should be given a great deal  
17 of consideration. I think we'll be doing some  
18 independent studies in terms of the economic impact  
19 of this. I think the proposal that you guys put  
20 forward made some assumptions that talk to a limited  
21 number of children per household which may not be  
22 realistic. But, again, I would like just to bring it  
23 to the planning commission's attention. I think  
24 we've got to think outside of the box in terms of  
25 what impact this is going to have on the surrounding

1 communities and not just get micromanaging in terms  
2 of this particular development. Thank you.

3 CHAIRMAN MCINTYRE: Thank you. Your points are  
4 well taken. Once again, many of the issues that  
5 you're talking about will be thoroughly addressed in  
6 the future dates, but if Mr. Landino would like to  
7 address anything.

8 MR. LANDINO: Just one. They are all good  
9 points. Those are for another date. One minor  
10 correction. The amount of school-age children per  
11 household that was used in that study was the  
12 parameter provided to us by the Board of Education in  
13 the school system in Old Saybrook, using their  
14 studies. And actually, we were more conservative,  
15 because we believe the type of homes proposed in the  
16 village will attract active-age adults and the single  
17 professionals and married professionals without  
18 children. We believe those numbers are conservative,  
19 but those are the numbers provided to us by the town.

20 CHAIRMAN MCINTYRE: Thank you very much. Anyone  
21 else wish to speak?

22 MS. FAULKNER: Sally Faulkner. You mentioned  
23 the town center concept with those clustered  
24 buildings over there. And I know from other places  
25 that are built in a similar fashion that would

1 include things like a restaurant, post office, dry  
2 cleaner, gas station, banks. We have a town center  
3 here. And I wondered if that's where that -- is that  
4 going to be accommodated on the Pianta property or  
5 somewhere else?

6 MR. LANDINO: It should be for next week, but I  
7 can answer it if you don't want to come back. But  
8 the zoning regulation allows for a very small amount  
9 of convenience retail. We are going to propose a  
10 probably 1,500 or 2,000 square foot, roughly the size  
11 of this building, convenience store that would be  
12 located in the town green area. But no other  
13 commercial, no gas stations, no retail, nothing  
14 beyond that point. And I think we are limited. And  
15 Ms. Nelson, I can't remember the total square  
16 footage, but I think it's 4,500 square feet total is  
17 all we can propose. We are probably going to propose  
18 half of that for this application.

19 CHAIRMAN MCINTYRE: And also a fire station.

20 MR. LANDINO: A fire substation we didn't talk  
21 about.

22 MS. FAULKNER: If it would be on the Pianta  
23 property, that would be a separate application?

24 MR. LANDINO: It's not proposed. It's in the  
25 center where the village is.

1                   CHAIRMAN MCINTYRE: Thank you, Mr. Landino.

2                   Ma'am.

3                   MS. KRIETER: This is probably for another  
4                   meeting, but I have to ask. Kate Krieter, Merritt  
5                   Lane. The Pianta property and the proposed road in  
6                   Westbrook, is there rezoning involved in putting a  
7                   public road on these properties?

8                   MR. LANDINO: Mr. Chairman, no. But the PRD  
9                   encompasses the Pianta property and doesn't encompass  
10                  the land in Westbrook. That's a separate application  
11                  in that town. So the proposed application to this  
12                  commission includes a road to the Pianta property  
13                  with no other proposals, no building lots, no  
14                  commercial development, et cetera. Does that answer  
15                  your question?

16                  MS. KRIETER: Yes. But I'm a little dense. So  
17                  you have the go ahead to put a road on either of  
18                  those portions. Because when I heard that Essex and  
19                  Westbrook were interested in us opening up Ingham  
20                  Hill Road, as I imagined they would be, I'm curious,  
21                  do you have access?

22                  MR. LANDINO: We have not had any discussion  
23                  with Essex about this in recent times. One report  
24                  from the Town of Westbrook suggested that and one  
25                  commissioner from Old Saybrook made kind of a



1 statement, a subjective statement about that. But  
2 there's been no dialogue with Essex, because we are  
3 not proposing anything in Essex at this time.

4 MS. KRIETER: My mistake. I didn't realize the  
5 Pianta property was in Old Saybrook. Sorry.

6 MR. LANDINO: That's okay.

7 MS. KRIETER: If that's the case I would  
8 encourage the planning commission to consider the  
9 Bokum Road traffic issue as well as echoing Barbara  
10 Maynard's concern about Ingham Hill Road.

11 CHAIRMAN MCINTYRE: The gentleman behind the --  
12 I keep missing you.

13 MR. UNGER: My name is Tom Unger. I'm in Old  
14 Saybrook.

15 MR. TIETJEN: Name?

16 MR. UNGER: Tom Unger. I live in Old Saybrook.

17 I would like one clarification on some data  
18 presented and then I have two questions. Looking at  
19 the plans of the number of homes and types of homes,  
20 I see the word duplex in there consistently. And  
21 it's either 89 or 90 duplexes. To me a duplex is one  
22 residence or one building with two families. So I'm  
23 wondering how many total families are going to be  
24 involved in this? And the number 248 is the number  
25 of dwelling units or the number of buildings? And

1 looking at the data that's presented, everything is  
2 scheduled to be at least three bedrooms, and I  
3 counted about a total of 800 bedrooms to be built on  
4 this property if I'm not including duplexes. That's  
5 my first point.

6 My second question is I would like to know of  
7 the 130 acres that are wetlands on this property or  
8 approximately 130 acres, how many acres would be  
9 considered if the 100-foot upland review zone was  
10 included around those wetlands?

11 And finally, when the Taylor proposal was put  
12 forth, they proposed an organic golf course  
13 maintenance program, so why is it necessary for this  
14 proposal to use many tons of chemicals?

15 CHAIRMAN MCINTYRE: Mr. Landino, if you want to  
16 address --

17 MR. LANDINO: Sure. The term duplex is not  
18 ours. It's the town's. And it's within the body of  
19 your regulation. We would not -- prefer probably not  
20 to use that, but -- and Dave Royston could probably  
21 clarify that issue. But 248 is the total number of  
22 dwelling units. And in some cases there are  
23 buildings with two units in them. That would count  
24 as two dwelling units. In other cases they are  
25 detached single family homes, and that's one. And

1 the reason for that I think was because we modeled  
2 the proposed regulation that was adopted by this  
3 commission last year as closely as possible to your  
4 existing regulations which uses that term; is that  
5 true, Dave?

6 MR. ROYSTON: David Royston, the attorney for  
7 the applicant.

8 With respect to the number of dwelling units,  
9 the 248 is dwelling units. Under the regulation when  
10 you -- the term total lots in the conventional plan,  
11 that term total lots means dwelling units, whether it  
12 be a single family, like an estate lot, or whether it  
13 be a single family dwelling within a two-unit  
14 building. If we obtain the approval for the 248 lots  
15 that we are seeking, that would mean there would be  
16 no more than the 248 dwelling units.

17 The other -- just in answer to the other  
18 question, the golf course that was approved and  
19 permitted was not what is referred to as a, quote,  
20 all organic, close quote, golf course. That golf  
21 course also had integrated a pest management plan  
22 involving the use of pesticides and herbicides.

23 CHAIRMAN MCINTYRE: Yes. And I can confirm  
24 that, because I was part of the wetlands commission.

25 MR. BRANSE: For the record, again, Mark Branse.

1           The golf course was actually reviewed by the  
2 zoning commission, not by this commission.

3           CHAIRMAN MCINTYRE: Right.

4           MR. BRANSE: So basically, you're looking at a  
5 pattern of development in the open space design, but  
6 the actual design and construction of the golf course  
7 won't be before this agency at all. Just so the  
8 public understands that.

9           MR. LANDINO: And I think the last question that  
10 was asked is how many acres encompassed the 100-foot  
11 upland review, which is not wetlands but area that's  
12 regulated by the wetlands commission. So in addition  
13 to the wetlands, there are I believe 233 acres of  
14 upland review area on the site.

15           CHAIRMAN MCINTYRE: Thank you. Anyone else from  
16 the public? Yes, ma'am.

17           MS. MCCUIN: Suellen McCuin, Ingham Hill in  
18 Essex. I have two questions. One is I know last go  
19 around there were 308 homes proposed, but that  
20 included Essex. And from what I remember there was  
21 19 on like Essex east and maybe 15 on Essex west or  
22 even more. I can't remember. So I was wondering  
23 what the actual unit reduction in Old Saybrook is  
24 versus Tim Taylor's plan.

25           And then another question is passage over Bokum.

1           You're talking about a bridge. And we are talking  
2           about what's available access right now. And is  
3           there -- do you have approved access? Because I also  
4           remember access was denied from DEP, because that is  
5           a DEP right-of-way. So I'm just wondering has that  
6           been approved or is that another approval step?

7           MR. LANDINO: Mr. Chairman, I don't know the  
8           exact number, but Dave Royston does, because he  
9           worked on it.

10          MR. ROYSTON: The number of single family lots  
11          similar to those shown in our conceptual development  
12          plan was, with the golf course, was 276 lots.

13          MR. LANDINO: And the rest were proposed in  
14          Essex totaling 308.

15          MR. TIETJEN: How many?

16          CHAIRMAN MCINTYRE: Two seventy-six versus 308.

17          MR. LANDINO: Does that answer your first  
18          question?

19          MS. MCCUIN: Yes.

20          MR. LANDINO: The second question, in the  
21          original application an at-grade crossing was  
22          proposed at one point over the valley rail tracks. I  
23          believe in the northern reaches of Bokum Road. And  
24          that was denied I believe by the DEP. And this is  
25          conjecture on my part, because I was not involved.

1           And that was denied quite simply because in today's  
2           world archway crossings are never permitted as new  
3           ways for vehicles to cross railroad tracks, even  
4           though these aren't active tracks.

5           So we are proposing a grade separated  
6           environment with a 22-and-a-half-foot clear distance  
7           from the top of rail to the bottom of steel which  
8           meets all of the standards by today's safety  
9           requirements that the DOT and the Federal Railroad  
10          Administration set. We do not have approval. We  
11          have not asked for approval for that. We have had  
12          some preliminary discussions, but because it's grade  
13          separated, because there's no conflict with the  
14          tracks, I personally don't believe that's a  
15          significant issue. But we haven't yet gone through  
16          the process of obtaining that approval.

17          MS. MCCUIN: From what I remember it was also  
18          not only because it was at grade, but because of  
19          something with the Federal Endangered Species Act.  
20          The endangered orchid was along that corridor.

21          MR. LANDINO: Again, that was -- maybe Michael  
22          Klein or Klemens. It was proposed in this northeast  
23          corner, and that was an area where the DEP had  
24          suggested there might be an endangered species. And  
25          the DEP is very cautious about that. And I don't

1 know -- I'm speaking -- Michael, do you have more  
2 information on that, on the orchids issue?

3 MR. KLEIN: Michael Klein from Environmental  
4 Planning Services in West Hartford.

5 We looked long and hard for the orchid on this  
6 site. We did not find it. We looked through two  
7 growing seasons. We identified the time of year when  
8 it's in bloom, which makes it the most conspicuous,  
9 and we looked at it in that time and we did not  
10 identify the orchid.

11 There are a number of plants that even though  
12 they aren't -- well, all plants, even though they  
13 aren't physically able to move individually, their  
14 populations move in and out of an area as site  
15 conditions change. And we found that to be the case,  
16 that some of the populations moved around. Obviously  
17 the plants don't. And we did not find the orchid  
18 anywhere on the property.

19 MR. LANDINO: But we agreed that that area was  
20 an area we should avoid and we proposed no  
21 development in the vicinity of that for other reasons  
22 that we'll describe.

23 MS. MCCUIN: I guess my point would be that  
24 right now there's one access. Well, also, I  
25 understand that through Westbrook you do have to get

1 a zoning change to go through that four acres,  
2 because it's a residential property and their zoning  
3 regulations don't allow it. It seems to me there's  
4 two access points; your main access points. And it's  
5 just for the record.

6 MR. LANDINO: Sure.

7 MS. MCCUIN: My understanding is both have to be  
8 approved still.

9 MR. LANDINO: The whole project has to be  
10 approved, absolutely.

11 MS. MCCUIN: But both have to be approved from  
12 Westbrook and then the other has to get DEP approval.

13 MR. LANDINO: Yes. And DOT approval for both as  
14 well. And if it becomes an issue, then that would be  
15 as well under the auspices of the town and the town  
16 DOT.

17 CHAIRMAN MCINTYRE: Anyone else from the public?  
18 Yes, ma'am.

19 MS. RANNESTAD: I'm Jennifer Rannestad from  
20 Chester, Connecticut. And this area is important to  
21 the whole region as well as I think the state. But  
22 specifically my question is there's a growing  
23 appreciation of stone walls in Connecticut, and I  
24 don't know if there has been the counting of stone  
25 walls and if there's any protection in this process



1 for that historic relevance.

2 MR. LANDINO: Thank you. I don't have the  
3 answer to that, but does anyone in the 15 people that  
4 we have on our team?

5 CHAIRMAN MCINTYRE: Let me just -- in our  
6 process when we go into the -- you know, the next  
7 application phase, that will be addressed in that  
8 issue.

9 MR. LANDINO: We will address it. That's a  
10 legitimate concern, especially in light of the  
11 controversy around stone walls in other parts of the  
12 state. I believe we took an inventory, but I don't  
13 have it.

14 CHAIRMAN MCINTYRE: That's one of the things we  
15 will address. Go ahead.

16 MR. ROTHENBERGER: For the record, Charles  
17 Rothenberger, Connecticut Fund for the Environment  
18 again.

19 I guess just sort of trying to understand the  
20 purpose of the open space subdivision, which, being  
21 an environmentalist, it's well recognized that  
22 clustering has less environmental impact than large,  
23 traditional suburban sprawl development. And  
24 certainly appreciating Mr. Landino's concern for the  
25 fragmentation of the property, which, as you properly

1           noted, we share. Sort of just trying to compare  
2           apples to apples here.

3                     As I understand the purpose of the open space  
4           subdivision regulations, it's to allow a developer to  
5           get the same lot yield that they would get under  
6           traditional zoning regulations. And let's say 200 on  
7           the right-hand side just for argument sake. Increase  
8           the density and allow them to put that same lot  
9           yield, that same number of units on a smaller area of  
10          land, thereby preserving a larger amount of space as  
11          undisturbed.

12                    And it seems to me, just so the town kind of  
13          understands what they are getting and what they are  
14          not getting in terms of this proposal, looking at the  
15          map on the left, the yellow represents the purported  
16          lot yield from the right-hand map. And then it seems  
17          a lot of the benefit that might otherwise accrue to  
18          the town in terms of this open space, certainly  
19          habitat benefit and just unfragmented open space  
20          benefit has been completely wiped out by all of that  
21          lighter shaded green, the golf course. So what it  
22          seems that the developer is getting is the same lot  
23          yield that they would get under traditional zoning  
24          and a golf course to boot.

25                    CHAIRMAN MCINTYRE: Thank you.

1           MR. LANDINO: One comment. We are actually  
2 not -- we are proposing, and it hasn't been agreed to  
3 by this commission, that under a conventional  
4 subdivision plan we could develop 293 lots. We are  
5 proposing 248. So we are not asking for the same  
6 density plus the golf course. We are asking for that  
7 difference plus the addition of the golf course. We  
8 are not including the golf course in any of our  
9 calculations for open space.

10           CHAIRMAN MCINTYRE: And then once again, that  
11 will be something that we will be looking into when  
12 we get into the real subdivision issues of how many  
13 houses -- or lots will be allowed or density.

14           MR. ROTHENBERGER: I understand. Just as a  
15 quick follow-up, just re-referencing the engineering  
16 report that you had commissioned, and I know you will  
17 read and be familiar with, they actually suggested  
18 the maximum lot yield under the traditional  
19 subdivision of 200, which would actually mean the  
20 open space subdivision would have to reduce its lot  
21 yield by an additional 48, taking it from the  
22 proposed 248 to no more than 200. And I realize that  
23 you're planning to respond to that in a written  
24 correspondence, but I just thought it should be made  
25 clear for the record.

1           MR. LANDINO: I don't actually agree with the  
2           logic, but I think it's in the process and that's for  
3           you to decide at some point.

4           MR. ROTHENBERGER: Right. Thank you.

5           CHAIRMAN MCINTYRE: Anyone else from the public  
6           wishing to speak? Yes, sir.

7           MR. KELLEY: Mike Kelley, Old Saybrook.

8           I just wanted some clarification. I understand  
9           that with the open space subdivision all houses will  
10          be discharging to basically one wastewater treatment  
11          plant and three septic fields. And I was just  
12          curious is this arrangement, this size actually been  
13          installed and working anywhere in Connecticut or New  
14          England?

15          CHAIRMAN MCINTYRE: If you wish to address it,  
16          Bob.

17          MR. LANDINO: I would be happy to answer it.  
18          There's three separate systems proposed; three septic  
19          leach fields proposed. And the individual systems  
20          are large by statewide standards, but we've designed  
21          and gotten approval for several in the past couple of  
22          years.

23          MR. KELLEY: Have they been installed and  
24          working, though?

25          MR. LANDINO: Well, Clinton Crossing is a

1           50,000-gallon a day system, has been in place for  
2           about seven years. And that's the one closest to  
3           home. And I can list others, but, you know, we could  
4           talk about that as time goes on.

5           MR. KELLEY: Right.

6           MR. LANDINO: That's the most recent. And  
7           that's the one that has been tested, actually, not  
8           the most recent.

9           CHAIRMAN MCINTYRE: Anyone else with the public  
10          wishing to speak? Yes, sir.

11          MR. O'NEILL: I'm Mark O'Neill from Westbrook.

12          I'm concerned about the tri-town area that this  
13          all encompasses. I know you people are responsible  
14          for Old Saybrook, but it's -- already I have heard  
15          lots of questions from Essex and Westbrook. And this  
16          is -- you know, this is a giant piece of property  
17          that's rare in I'm sure any environmental region.  
18          It's probably one of the only properties in coastal  
19          Connecticut, no doubt.

20          And I'm concerned that this is turning into one  
21          town's project without too much coordination with the  
22          other two adjoining towns. And as far as watershed  
23          we are adjoining. This was created -- this is  
24          centuries old piece of ecosystem that was created  
25          long before our towns were ever joined. Now, all of

1 a sudden we have one town that's going to dictate  
2 this, with the watershed flowing into Westbrook,  
3 Essex. Everything is a community in this, as far as  
4 this piece of property goes. And I'm concerned that  
5 there's never going to be any coordination between  
6 the towns besides bring this here, put this -- I mean  
7 at this point already we're hearing Ingham Hill will  
8 open if Westbrook does this, if Essex would do this.  
9 So it's almost like -- it's like if a developer wants  
10 to do one spot here, one spot there, one spot here,  
11 it all may look fine until it all goes together. And  
12 then all of a sudden they're going to say, wow, we  
13 didn't know that. And then it's going to be too  
14 late. I'm wondering will there ever be a  
15 coordination on this?

16 I would like to ask Mr. Landino if there was --  
17 you said that there was concern about -- from  
18 Westbrook to open the road on Ingham Hill. Now, was  
19 that on record or -- was that a public record or was  
20 that a -- you know, or just a statement between  
21 politicians or however that works?

22 But that's my main concern. I just hope that  
23 this group can get together and consider the  
24 ramifications of all the towns, you know. Because I  
25 guess from what I heard the wetlands -- the runoff

1 from like half the golf course actually drains into  
2 Westbrook.

3 Now, are you going to be considering that when  
4 you're -- are all the boards going to be concerned  
5 with that? Otherwise, it's going to be a major  
6 problem and we are not going to know about it until  
7 years down the road. Thank you.

8 CHAIRMAN MCINTYRE: Speaking from experience of  
9 the past application, yes, we do coordinate with the  
10 other towns. Chris, our town planner, knows the town  
11 planners and they all get together. It is not --  
12 it's not in a bubble. Everything is looked at as --  
13 our charge, however, is, you know, looking at Old  
14 Saybrook, as we can only look at Old Saybrook. We  
15 can't tell Westbrook what to do with their entrance  
16 and we can't tell Essex that we think they should  
17 build a road through their land. We have no  
18 authority to do that. So yes, we do look at our area  
19 and that's our charge. But in the big picture the  
20 towns do coordinate. And everyone is concerned  
21 with -- one of our charges is water runoff. Where is  
22 it going? Make sure it's managed well. Make sure  
23 there isn't going to be any issues. And that's one  
24 thing that will be thoroughly addressed and was  
25 addressed in the last application for many, many,

1           many hours. And it will be addressed again when we  
2           get to that point.

3           MR. O'NEILL: But did that water runoff stop at  
4           Old Saybrook or did it continue into Westbrook?

5           CHAIRMAN MCINTYRE: That will be discussed at a  
6           later date.

7           MR. BRANSE: Let me just mention this is a  
8           wetlands. The question regarding runoff is largely a  
9           wetlands issue. There will have to be a wetlands  
10          application in Westbrook as well as in Old Saybrook.

11          MR. LANDINO: And that application was filed.

12          MR. O'NEILL: But that will be like --

13          MR. BRANSE: In both towns?

14          MR. O'NEILL: -- a wall between the wetlands of  
15          Old Saybrook and Westbrook when it comes to  
16          communicating the two.

17          MR. LANDINO: Just to answer his question, it  
18          was not a conversation between a politician and a  
19          has-been politician, but we have filed a former  
20          application -- a formal application with the inland  
21          wetlands commission in Westbrook, and they are  
22          scheduling a public hearing. And trust me, they are  
23          looking at our application in a great amount of  
24          detail, taking it very seriously, as seriously as the  
25          Town of Old Saybrook, even though it's a very small



1 piece of their town.

2 MR. O'NEILL: But you mentioned that there was  
3 concern from Westbrook about Ingham Hill possibly  
4 being opened, and I was wondering if that concern was  
5 communicated to you through a public meeting.

6 MR. LANDINO: Yes.

7 MR. O'NEILL: What meeting was that?

8 MR. LANDINO: That was a referral to the Town of  
9 Westbrook's planning commission from this  
10 application.

11 CHAIRMAN MCINTYRE: It's in our documentation.

12 MR. LANDINO: So when we filed this application,  
13 Ms. Nelson sent a referral request to the Town of  
14 Westbrook. We went to the Town of Westbrook's  
15 planning commission. We made a presentation. They  
16 filed a report as part of that, and it should be in  
17 your record. And in that was the discussion of those  
18 issues.

19 MR. O'NEILL: Okay.

20 CHAIRMAN MCINTYRE: Thank you, Mr. Landino.

21 Anyone else from the public wishing to speak?

22 MR. KRIETER: Yes, sir. Chris Krieter from  
23 Merritt Lane.

24 Just about traffic. There was mention that a  
25 traffic study has been filed; is that correct?

1                   CHAIRMAN MCINTYRE: Attorney Royston.

2                   MR. ROYSTON: When I came up before with a bunch  
3 of stuff, one of the things I was supposed to submit  
4 as the exhibit was the preliminary traffic report.

5                   CHAIRMAN MCINTYRE: I will accept it now.

6                   MR. ROYSTON: Thank you.

7                   MR. KRIETER: The next question is one --  
8 because I just don't know what a traffic study really  
9 is and how far it goes. Does the traffic study that  
10 is filed, does it have to describe the impact to the  
11 center of town of Old Saybrook or the I.G.A. Bokum  
12 Road crossing in Essex? Does it have to go to that  
13 extent just in this filing or does it not?

14                   CHAIRMAN MCINTYRE: I do not know that answer.  
15 Mr. Landino.

16                   MR. LANDINO: Mr. Chairman, the study includes  
17 intersections that ring in the entire region, in  
18 Essex, Westbrook, and Old Saybrook.

19                   MR. KRIETER: So this application addresses  
20 that.

21                   MR. LANDINO: Dennis, is that the full -- I  
22 think it is.

23                   MR. GODERRE: That's the full.

24                   MR. LANDINO: Yes. So it includes even the  
25 interchange at 154 and I-95, goes all the way around

1 Bokum Road, the four corners in Essex, goes all the  
2 way around the Westbrook 153 and back to the  
3 interchange at Exit 65 in Westbrook, and also  
4 includes the Elm Street corridor at Exit 67 going up  
5 to Ingham Hill Road.

6 MR. KRIETER: Thank you.

7 CHAIRMAN MCINTYRE: Okay. What I would like to  
8 do now -- it doesn't seem like anyone else from the  
9 public wants to speak. I need to get the board -- we  
10 say we are going to 11:00. I know the board is going  
11 to have quite a few questions, and I don't want to  
12 have to make them rush. And I have given many of the  
13 audience if not once but twice a chance to speak.

14 At this time I would like to open it up to the  
15 commission to address the applicant with any  
16 questions they have. And Sal, we are going to start  
17 with you.

18 MR. ARESCO: I won't ask them all. I've got a  
19 lot of them.

20 CHAIRMAN MCINTYRE: Okay.

21 MR. ARESCO: The light green area around the --  
22 just to clarify my thinking. Bob Landino, the light  
23 green area around the village, is that open space?

24 MR. LANDINO: The light green area around the  
25 village.

1 MR. ARESCO: Right in the center.

2 MR. LANDINO: Those are the golf holes and the  
3 disturbance as a result of the development.

4 MR. ARESCO: So that won't be open space.

5 MR. LANDINO: That will not be open space.

6 MR. ARESCO: So for the purpose of a better  
7 visual presentation, I would like to suggest that you  
8 color in the golf course and that other light green  
9 area the same color as the rest of the area so we get  
10 a better visual of what the open space really is.

11 MR. LANDINO: Okay.

12 MR. ARESCO: Because that sort of doesn't -- it  
13 doesn't -- you know what I mean.

14 MR. LANDINO: What we tried to do, the dark  
15 green -- and we'll be happy to accommodate your  
16 request.

17 MR. ARESCO: Just do it.

18 MR. LANDINO: But just to be clear for the  
19 record, the dark green is undisturbed open space on  
20 the site.

21 MR. ARESCO: All right. How about the dark  
22 green over here, what is this?

23 MR. LANDINO: Undisturbed open space.

24 MR. ARESCO: So we look at the same visual --

25 MR. LANDINO: That dark green and that dark

1 green is exactly the same.

2 MR. ARESCO: So would you do this for the next  
3 time, would you color in all the light green a tan  
4 like the other side so that when we look at the two  
5 different configurations, we get a better visual view  
6 of what the open space looks like. Could you do  
7 that?

8 MR. LANDINO: Sure. But understand the  
9 difference that the yellow or beige, whatever color  
10 that is, is the developed area that includes  
11 pavement, houses, driveways, et cetera. The light  
12 green is lawn, basically.

13 MR. ARESCO: Yeah, I know. But it's still not  
14 open space.

15 MR. LANDINO: It's --

16 MR. ARESCO: Just color it. I understand it. I  
17 understand it. But to get a better view of it, I  
18 think it should be the same color, and that will give  
19 us -- give me a better look at --

20 MR. LANDINO: Okay.

21 MR. ARESCO: -- what are we looking at here.  
22 Because we are going to be making a comparison  
23 between a conventional and a conservation  
24 subdivision.

25 MR. LANDINO: Right.

1           MR. ARESCO: So I think that the maps should be  
2           comparable in showing the open space. I think that  
3           would help.

4           MR. LANDINO: Again, from an ecological  
5           perspective there's a difference. It is still  
6           compromised if you're purely looking at it from an  
7           environmental resources point of view, but it is  
8           still significantly better than pavement. So that's  
9           the difference.

10          MR. ARESCO: And I don't disagree with that.  
11          Just so it's green, everything green, you look at it,  
12          that's open space on both configurations.

13          I have more, but I'll go on to the next. Can I  
14          keep going?

15          CHAIRMAN MCINTYRE: Absolutely.

16          MS. NELSON: Keep going, Sal.

17          MR. ARESCO: Can I go?

18          MR. LANDINO: Mr. Chairman, Randall Arendt  
19          wanted to just respond as well.

20          CHAIRMAN MCINTYRE: Sure.

21          MR. ARENDT: I think it's absolutely clear from  
22          your distance that there are three different shades  
23          there. And that's important, because there are three  
24          very -- three different types of land uses. One is  
25          developed land, as Bob said, which are driveways, and

1 streets, and rooftops, and sidewalks. A lot of gray  
2 infrastructure. This green is the green  
3 infrastructure. It is -- there are no structures  
4 there. It is all just open space. The difference is  
5 undisturbed open space in dark green here and here.  
6 Same color for undisturbed open space. I think that  
7 that is the key comparison. And rather than color  
8 this the color of rooftops, and sidewalks, and  
9 driveways, and streets, and curbs, this is  
10 essentially open land. And as some of our  
11 consultants will testify later on, this does form a  
12 type of habitat as well. It is not the same type  
13 nearly as the forest. Quite clearly it's different.  
14 But it adds to the variety of landscape and habitats  
15 that suit various critters.

16 So I think it would be grossly unfair, grossly  
17 unfair to color this the same color as rooftops,  
18 streets, curbs, and driveways. I would be offended,  
19 because it would be totally a misrepresentation to  
20 color this the same color as that. There are three  
21 categories. So I beg you to recognize the three  
22 categories.

23 MR. ARESCO: Just color it in.

24 MR. ARENDT: This is a lighter shade of green  
25 and this is a darker shade of green.

1           MR. ARESCO: Then do this. Color it in a  
2           different -- color it in blue or yellow or something  
3           so it's not green, and that will look good in my  
4           mind.

5           In my mind I want to -- and I understand. I've  
6           read your books. I bought into the concept. I've  
7           got a lot of questions based on what you're showing  
8           here and what it says in your books, but that's okay.  
9           And I bought into the concept, and you're really  
10          terrific in what you do. You really are. I mean  
11          that.

12          MR. LANDINO: He's never said that about me.

13          MR. ARESCO: I still would rather have it to get  
14          a good picture of it, and I think it says something.

15          I have another. They tell me to keep going  
16          here. I would like to know -- again, we are  
17          comparing the two. I would like to know if we went  
18          for the 45 additional dwellings in a conventional  
19          versus the golf course, how many acres are there in  
20          the golf course that we would use and how many acres  
21          would there be for the 45 additional dwellings?

22          MR. LANDINO: I can't answer that. You're  
23          trying to tell me would one be less than the other?

24          MR. ARESCO: Yeah. I'm just trying to figure it  
25          out. Because I mean we're going to be making a



1 decision here as to what the --

2 MR. LANDINO: The issue is it's a completely  
3 separate proposal. Because when you not only add the  
4 homes and the physical layout of the road system, you  
5 have to consider the community septic issues, and the  
6 soils issues, and what land would need to be cleared  
7 for that. And that quite simply, Mr. Aresco, is just  
8 not -- it's not our proposal. I think they are  
9 comparable. We think they are roughly the same.

10 MR. ARESCO: Same number of acres?

11 MR. LANDINO: There are 133 acres of disturbed  
12 fairway as a part of this. If you think you can  
13 capture another 30 or 40 or 50 acres, you may be able  
14 to. I just can't answer that question. It's  
15 really -- intuitive you can make that determination  
16 on your own as well as I can. But from my point  
17 of --

18 MR. ARESCO: I thought perhaps you would give us  
19 a ballpark. You're an expert in this area. You do  
20 it all the time.

21 MR. LANDINO: Because I do it all the time it's  
22 too complicated to respond off the top of my head.  
23 If I did that I would have to give my client a big  
24 discount in fees. It takes a lot of work to get to  
25 that point.

1           MR. ARESCO: We'll do our own calculation and  
2           throw it out there.

3           MR. LANDINO: In response to that, though, the  
4           golf course is part of our proposal. It's part and  
5           parcel of what we believe makes this a unique  
6           community.

7           MR. ARESCO: How do you pronounce that Pianta  
8           property? Was that acreage included in coming up  
9           with the 298 or was it just --

10          MR. LANDINO: Two ninety-eight?

11          MR. ARESCO: -- two hundred ninety-three  
12          dwellings that would be yielded?

13          MR. LANDINO: No, no.

14          MR. ARESCO: So that property does not include  
15          that.

16          MR. LANDINO: See the conventional plan, it's  
17          excluded.

18          MR. ARESCO: It's excluded. That's all I need  
19          to know.

20          Randall, I have a lot of questions for you. You  
21          know, I look at -- what's troubling to me is somebody  
22          had brought up this concept of edge effect. I think  
23          you were talking about the types of habitat that  
24          would be attracted. I'm wondering that when you have  
25          that golf course in there, doesn't that create a lot

1 more of the edge effect when you've got all that open  
2 edging around golf courses and all that?

3 MR. ARENDT: There is more edge there, and  
4 that's a plus and a minus. There are advantages and  
5 disadvantages to having edges.

6 MR. ARESCO: It seems that what I have heard of  
7 it is that the edge effect attracts a different type  
8 of habitat, perhaps a less desirable type of habitat  
9 that infringes on let's say the natural habitat.

10 MR. ARENDT: A question like that would be best  
11 addressed to either of the two Michaels here.

12 MR. ROYSTON: We do intend to address those  
13 questions in our presentation next week.

14 CHAIRMAN MCINTYRE: Sal, go ahead, finish.

15 MR. ARESCO: I want to prepare my others. I  
16 don't want to hog it. Thank you. Thank you.

17 MR. TIETJEN: Not to cast any doubt on the  
18 expertise that you've developed in the nevi of  
19 experts here, but how long has it been since the last  
20 environmental review team looked at this whole area?

21 I've seen one of them that's quite old, that was  
22 done I think before Taylor undertook his, but I don't  
23 think there's been any since. So maybe there has  
24 been one, but we haven't heard about it anyway. And  
25 I think this is in the -- based on the issue none of

1           your probity, but about the accountability to the  
2           town.

3                     Now, you guys are accountable to the world at  
4           large maybe and the agency that hired you, but I'm  
5           interested in somebody who will answer to the town  
6           about some of these questions. The golf course  
7           raises red flags to me all the time. So I think this  
8           is an occasion to raise that question. Maybe I'm  
9           anticipating the next phase of your presentation.

10                    MR. ROYSTON: The environmental review team  
11           report was done in 1999. The environmental review  
12           report is one which is engaged by the town for the  
13           purpose of having various people with various  
14           expertise from state and local agencies take a look  
15           at the site and give some information and  
16           recommendations as to significant environmental  
17           aspects of the site. That environmental report was  
18           one of those documents which became available to this  
19           present developer, and certainly that information  
20           gets taken into consideration.

21                    MR. TIETJEN: Now, this was a Connecticut ERT.

22                    MR. ROYSTON: That's correct.

23                    MR. TIETJEN: The one I saw was a great deal  
24           older than 1999, and it was quite specific to this  
25           area.

1 MR. ROYSTON: It was 1999 was the ERT report.

2 MR. TIETJEN: The one I remember was well before  
3 that. Do we have one in the town hall?

4 MS. NELSON: I can copy that to you.

5 MR. TIETJEN: Thank you.

6 MR. BRANSE: For the record, Mark Branse.

7 If that's something that the commissioners  
8 recall and maybe using for their decision-making  
9 process, it should be in the record. So it's good to  
10 have it sent down so you'll have it and the applicant  
11 will know what you have in front of you.

12 MR. TIETJEN: Thank you.

13 CHAIRMAN MCINTYRE: Any other questions?

14 MR. TIETJEN: That's it. I'm sorry. No, no.  
15 That's it. That's all. Not for this occasion, no.

16 CHAIRMAN MCINTYRE: Stuart, do you have any  
17 questions?

18 MR. HANES: I've got a couple of question.

19 CHAIRMAN MCINTYRE: Sure.

20 MR. HANES: On your conventional subdivision  
21 have you taken into consideration the lots which were  
22 rejected during the Taylor project?

23 MR. LANDINO: We didn't look at it.

24 MR. HANES: You didn't.

25 MR. LANDINO: We basically did a completely

1 independent analysis. And I don't know if  
2 Mr. Royston -- I really didn't spend a lot of time  
3 with the old documents to develop the plan. Dave, do  
4 you want to add anything?

5 MR. ROYSTON: The only comment I can make with  
6 respect to that is that in the first application  
7 there were 24 residential lots in the main road which  
8 were proposed. Of those 24 lots that came through,  
9 many of them were rejected as not meeting public  
10 health code requirements. The area for those lots is  
11 not an area which is shown on even the conventional  
12 plan for significant development for those very  
13 reasons, that the testing information didn't justify  
14 it. So the answer is yes. The difficulty with those  
15 lots was taken into consideration, and they are not  
16 part of the conventional plan.

17 MR. HANES: One other question. The Pianta  
18 property there I notice is not included as far as  
19 house lots are concerned, but it would have an impact  
20 if you develop that on the traffic flow. And of  
21 course we are looking at traffic studies that don't  
22 consider that.

23 Also, I am concerned with that piece of property  
24 where you have an access easement beyond lot 17 and  
25 18. I presume that that could possibly be developed

1 at some time in the future, which would also impact  
2 our traffic.

3 MR. LANDINO: In the traffic study we just --  
4 because we are proposing infrastructure, not because  
5 it's a part of our proposal, we included traffic for  
6 both of those items in the event that at some future  
7 date they were developed. All we were trying to do  
8 in this case was with these property owners who  
9 mostly have land in Westbrook, some have land in Old  
10 Saybrook, is give them an opportunity to have safer  
11 access by coming into The Preserve boulevard as  
12 opposed to having access on 153 where they currently  
13 have their driveways.

14 With regard to the Pianta property, we did a  
15 conceptual subdivision map that showed the maximum  
16 number of units that could be proposed there and  
17 included that number in our traffic totals so that  
18 you could see the worst case scenario, even though  
19 it's not a part of our proposal.

20 MR. HANES: Thank you.

21 MS. GALLICCHIO: And what was the number on the  
22 Pianta property?

23 MR. LANDINO: What was the number on the Pianta  
24 property?

25 MR. GODERRE: Thirty-five lots.

1 MR. LANDINO: Thirty-five lots.

2 MS. GALLICCHIO: I'm confused. I've heard two  
3 different numbers, seen and heard. You've talked  
4 about 293 in an unconventional tonight. On the plan  
5 it shows 298 or the number 298 is there in terms of  
6 number.

7 MR. GODERRE: Dennis Goderre, BL Companies, for  
8 the record.

9 The number is 293. And the number at one time  
10 was 298, but during revisions that we didn't change  
11 the number on the note sheet which I believe you saw  
12 the 298 on, yes.

13 MS. GALLICCHIO: Yes.

14 MR. GODERRE: But it's 293.

15 MS. GALLICCHIO: Okay. And Mr. Chairman, I'm  
16 not sure where you're putting the defining line in  
17 terms of what's being discussed tonight and what's  
18 for the next night. The applicant seems to have an  
19 idea of what's being discussed in sections, and I  
20 don't think you shared that with the commission.

21 CHAIRMAN MCINTYRE: Okay. Maybe -- what they  
22 are doing is basically in the next few nights they  
23 are going to be presenting -- tonight they presented  
24 the conventional subdivision plan and how they got to  
25 their density. And that's what we are key on



1           tonight, is how they came up with their lots, you  
2           know, that type of issues. And I believe next  
3           week -- and Chris, correct me if I'm wrong. I  
4           believe next week is -- they are going to then go  
5           into the open space subdivision, and we'll discuss  
6           that in more detail. We were trying to bring  
7           everything down so that we could just focus on this  
8           one thing tonight, then roll it over to next week.

9                     And then finally, what was the third week? Is  
10           it just to kind of finalize everything or was there  
11           another presentation?

12                    MS. NELSON: Catchall.

13                    CHAIRMAN MCINTYRE: Mr. Royston -- Attorney  
14           Royston.

15                    MR. ROYSTON: From the applicant's point of  
16           view, yes, we did want to be able, at your special  
17           meeting on the 10th, to basically start with the  
18           presentation of the preliminary open space plan. We  
19           don't know exactly how things are going to go, and  
20           two meetings was probably too much for us in any  
21           event. But we did think that if there were questions  
22           remaining on the 17th, that we would certainly be  
23           wanting to address them.

24                    We are also giving full responses to -- in  
25           written form to your consultant reports. We

1 indicated we'll get those by the 10th. It may not  
2 leave enough time for your consultants to review our  
3 responses by the 17th, which may mean we may go  
4 further. But basically, what we wanted to do was to  
5 present the conventional tonight and present the open  
6 space -- preliminary open space plan and all the  
7 supporting testimony for that at your meeting next  
8 week.

9 MS. GALLICCHIO: My question, Mr. Chairman, is I  
10 have a number of concerns which were addressed with  
11 our staff reports, which I understand the applicant  
12 is going to be responding to. Will there be  
13 opportunity next time, even though it has to do with  
14 the conventional subdivision plan, can we discuss  
15 those and ask questions about those at the next  
16 meeting as well?

17 CHAIRMAN MCINTYRE: Yes.

18 MS. GALLICCHIO: We're not limited.

19 CHAIRMAN MCINTYRE: No, no, you won't be  
20 limited. Everything will be out on the table then.  
21 We'll have the entire thing. The intention was to  
22 focus on this part tonight, get this straight in  
23 everybody's mind. Because you start jumbling it all  
24 together, it gets mixed up. Once we have both  
25 proposals in front of us and explained to us, then we

1 can address them. And we can go back and forth. And  
2 you will have to go back and forth I would think.

3 MR. LANDINO: Mr. Chairman, given the extent of  
4 the consultant review which is legitimately  
5 extensive, our response is going to be extensive.  
6 And that's why I think we will need at least a third  
7 meeting just to discuss those issues and maybe even a  
8 fourth. And that's -- I think that's an ongoing  
9 dialogue just because of the volume of information  
10 that has to be disseminated by us, responded to, and  
11 your consultants have to look at our response and  
12 respond back. So that's why I think we are  
13 inevitably going to take it to a third meeting just  
14 for that purpose.

15 MS. GALLICCHIO: Because we also need to then  
16 take all the information and sift through it. And we  
17 may have questions at that point, also, which we are  
18 going to need to address during public hearing is my  
19 concern.

20 MR. LANDINO: If we need to give you an  
21 extension --

22 MS. GALLICCHIO: We don't just want to hear --  
23 read reports from our applicants -- the applicants  
24 and our staff. We also want to be able to digest it  
25 and ask our own questions while public hearing's

1 still open.

2 CHAIRMAN MCINTYRE: Right, right. We have to.  
3 We won't close the public hearing until everyone's  
4 answers are satisfied.

5 MS. GALLICCHIO: So we are not talking about  
6 roadways tonight.

7 CHAIRMAN MCINTYRE: In the -- I guess you could  
8 talk about them in, you know, conventional  
9 subdivision versus -- if you had a question in the  
10 other subdivision -- I mean you could.

11 MS. GALLICCHIO: No. This will have more to do  
12 with the open space subdivision, so I'll wait until  
13 next time. I think that's all I have then.

14 CHAIRMAN MCINTYRE: Okay.

15 MR. TIETJEN: I have another.

16 CHAIRMAN MCINTYRE: Do you have anything?

17 MS. ESTY: I did, but it's on the open space  
18 subdivision and open space will be discussed at the  
19 next meeting.

20 CHAIRMAN MCINTYRE: Right.

21 MS. ESTY: Then I'll hold the question.

22 CHAIRMAN MCINTYRE: Okay.

23 MR. TIETJEN: You can answer this one. They are  
24 talking -- you're talking about the conventional  
25 plan, not the conservation plan. That's our basic

1 question tonight or issue.

2 MR. LANDINO: That's what we have presented  
3 tonight, but we have strayed a little bit.

4 MR. TIETJEN: One of the premises of the open  
5 space plan is that there would be a golf course.

6 MR. LANDINO: Correct.

7 MR. TIETJEN: How about the conventional plan,  
8 is that stipulated or --

9 MR. LANDINO: That wasn't the charge as part of  
10 your regulation. The only purpose of the  
11 conventional subdivision plan is to demonstrate  
12 maximum lot yield so that you can compare it against  
13 the open space proposal.

14 MR. TIETJEN: Yes, I understand.

15 MR. LANDINO: If we weren't going to include the  
16 golf course as part of our proposal, we likely would  
17 have shown 293 lots as part of the open space master  
18 plan to compare what the density of the conventional  
19 plan. We did it mostly because of the addition of  
20 the course, which we believe is a critical piece of  
21 our proposal.

22 MR. TIETJEN: Well, the simple question is  
23 you're not including a golf course in the  
24 conventional plan, period, right?

25 MR. LANDINO: That's not what the regulation

1 asks us to do. So we are just following --

2 MR. TIETJEN: What's the plan? I don't know  
3 about the regulation. What's the plan? What's your  
4 intent?

5 MR. LANDINO: The conventional subdivision plan  
6 is not our intent at all. It's a mechanical exercise  
7 that is required by your regulations to establish the  
8 maximum number of lots that could be developed under  
9 existing zoning.

10 MR. TIETJEN: So it's --

11 MR. LANDINO: So the development, if we do not  
12 propose an open space plan, would look very similar  
13 to what this represents. And that's not what we  
14 recommend and that's not what we are proposing.

15 MR. TIETJEN: So you're not positing, you're not  
16 stipulating anything except what you've just said and  
17 what's there.

18 MR. LANDINO: I mean if for some reason you  
19 denied the open space proposal, the -- my client  
20 would likely come back with a conventional plan,  
21 because that's what's allowed by zoning. I  
22 personally wouldn't be a part of that, but that's  
23 what he would be left with.

24 MR. TIETJEN: But you could.

25 MR. LANDINO: Any applicant could. That's

1           what's permitted by zoning.

2           MR. TIETJEN: Thank you.

3           CHAIRMAN MCINTYRE: Janis, any other questions?

4           MS. ESTY: Not tonight, no.

5           CHAIRMAN MCINTYRE: Any other board members have  
6 any other questions? Nothing related to how the  
7 applicant came up with his figures as far as, you  
8 know, on the conventional? I know there was some  
9 discussion in that area.

10          MS. GALLICCHIO: Are you asking that, Bob?

11          CHAIRMAN MCINTYRE: No. I'm asking the board.  
12 I'm just trying to get some more dialogue going just  
13 in case there's any other questions.

14                 I think the intent of presenting the information  
15 tonight as a conventional subdivision was to give the  
16 board the ability to see how the applicant came up  
17 with the number of subdivisions -- I mean of lots in  
18 a conventional, and that has to relate to next week  
19 when you talk about how many lots he's going to  
20 propose on the open space. They are attached, okay.  
21 Because that's what the regulation says.

22          MS. GALLICCHIO: I'll bite.

23          CHAIRMAN MCINTYRE: Go ahead.

24          MS. GALLICCHIO: How did you come up with the  
25 number of conventional lots in your subdivision?

1           MR. LANDINO: Maybe Dennis can answer that. I  
2 will try to paraphrase what Dennis has spent the last  
3 six months doing. So maybe you would be better  
4 qualified to answer that directly.

5           MR. GODERRE: Dennis Goderre, BL Companies.

6           As -- I forget which member of our team  
7 mentioned earlier. We did start with the roadway  
8 alignment, which is really one -- a critical  
9 component of the transportation, and infrastructure,  
10 and distribution of the lots in accessing the various  
11 components from the areas that are considered  
12 buildable areas. Essentially in one of the items  
13 that we need to address and we will be prepared to  
14 address next week that have been raised in the memos  
15 from the town staff is how we determine the  
16 suitability of the lots to meet the MABLE  
17 requirements.

18           The regulations do not require us to do any site  
19 testing. But realizing that there is site testing  
20 available and has been on public record, we thought  
21 that the most prudent thing to do is to utilize what  
22 is available to show where we can develop home lots.  
23 Each of the lots is a minimum of 40,000 square feet,  
24 and it's assumed that it will be served by public  
25 water. And that's allowed under the Conservation C



1 District. Some lots are slightly larger just due to  
2 the configuration and the nature of engineering the  
3 lot. We've utilized alternative design standards for  
4 the roadways, which we have talked about  
5 preliminarily with the board of selectman, who has  
6 referred it to the town staff, as part of this  
7 application. There's still some items that we need  
8 to address, be it comments made by town staff as  
9 well, which we will be doing at this time again next  
10 week.

11 As far as the MABLE requirements, we do feel  
12 that the 293 lots meet the MABLE requirements and  
13 utilizing the existing testing that has been done on  
14 the site to determine what the depth of bedrock is.  
15 And that's one of the requirements from the MABLE,  
16 48 inches to bedrock. But also, the other caveat in  
17 your regulation is or meets the State Health Code.  
18 And the State Health Code is 24 to inches 48 of  
19 separation with an engineered filled system on site.  
20 And we utilized, again, and will have more graphics  
21 to explain where these locations are. Many of the  
22 test pits were greater than 48 inches. And these  
23 tested data are included within the application that  
24 we submitted on August 30. Many and most are within  
25 the 24 to 48 inches. And David, you can correct me

1           if I'm wrong, but some of the previous approvals on  
2           the property that have been approved, the MABLE was  
3           waived for the 24-inch minimum for on-site septic.  
4           There were some areas that didn't meet the 24 inches.  
5           And in those areas that testing occurred or where it  
6           was obvious that there were rock outcroppings, we  
7           didn't propose any lots. So we automatically  
8           ourselves eliminated them. We could very easily show  
9           them and challenge the commission or anybody, but we  
10          decided not to take that route and we tried to be  
11          fair in our assessment and from a professional  
12          judgment standpoint.

13                 MR. ROYSTON: If I could make one clarification  
14                 of what Dennis said. There wasn't a waiver of the  
15                 requirements in previous subdivisions. Actually, the  
16                 only waivers in any previous subdivision had to do  
17                 with common driveways. But the MABLE requirement  
18                 says you either have a certain depth to bedrock or  
19                 that on the site you can establish a code compliance  
20                 septic system. And a code compliance septic system  
21                 were established on previous lots through fill or  
22                 other devices and approved by the sanitarian and by  
23                 the commission. So those were the standards that we  
24                 used in developing these lots.

25                 CHAIRMAN MCINTYRE: Attorney Royston, I think

1 normally when we refer to those, we call them  
2 engineered septic systems; is that correct?

3 MR. ROYSTON: That's correct. Those which meet  
4 the public health code requirements, yes.

5 CHAIRMAN MCINTYRE: Thank you. Any other  
6 questions from the board?

7 MR. ARESCO: No. I'm just troubled. You know,  
8 I trust that -- Sal Aresco speaking. I trust what  
9 you're saying. But let's say -- I mean how do you  
10 verify that? I mean if you wanted to double check it  
11 as a commission, how do you verify it?

12 MS. NELSON: Verify what?

13 MR. ARESCO: That every lot has been looked at  
14 and everything is the way it should be. The depth of  
15 soil. I mean I'm sure there were vernal pool  
16 considerations. I'm sure there was other  
17 considerations, slopes and things of that nature, and  
18 MABLE and all of that. How do you verify that? Not  
19 that -- I'm sure it's correct. But if you wanted to  
20 really feel good about it, how do you verify it?

21 MS. NELSON: For the record, Christine Nelson.

22 It is the integrity of professionals that keeps  
23 them honest. Everyone here has a license. They are  
24 licensed to do what they do, and I don't know how  
25 else to say it. There's --

1           MR. LANDINO: Not everyone trusts us as much as  
2 you do, Sal.

3           MS. NELSON: Right. There's nothing that -- I  
4 mean --

5           MR. ARESCO: I should be more trusting.

6           MS. NELSON: We don't do --

7           MR. BRANSE: Wait.

8           MR. LANDINO: I'm sorry.

9           MS. NELSON: The town employs professionals of  
10 comparable and differing disciplines. We do a peer  
11 review. We verify that the methodologies that are  
12 employed by applicants for subdivision are modern,  
13 that they are the best standards of practice  
14 available, employing, you know, modern, best  
15 management practices and everything that we know of.  
16 And other than that it's there are just consumer  
17 protection laws and everyone is licensed. I'm not  
18 sure how else to say it.

19           MR. LANDINO: Thank you. I am -- I didn't mean  
20 to cut you off. In addition to that, and all of that  
21 is correct, when site testing occurs it needs to  
22 occur with the town sanitarian being present during  
23 the excavation of those test pits and the performance  
24 of perk tests or whatever other tests are performed  
25 to verify the performance characteristics of the soil

1 to design a septic system.

2 We have a pile of data that was done from the  
3 previous application that we are only using on a  
4 preliminary basis that goes to verify lot yield. If  
5 in fact we go to a detailed design, we are going to  
6 have to retest all of those lots. And your  
7 sanitarian will have to be present during that  
8 testing, and he or she will verify those results.

9 MR. ARESCO: So that 293 figure could be revised  
10 at that point when you get in there and find that,  
11 well, maybe this wasn't -- maybe the other developer  
12 didn't follow the standards completely setting out  
13 these test holes, where they were supposed to be,  
14 et cetera. And then you do it the right way and then  
15 you find out, my God, there's 30 less lots we come up  
16 with. That's when that happens.

17 MR. LANDINO: To take it at a higher level, and  
18 your consultant did correctly, the intent of the  
19 regulation is so a developer doesn't have to come in  
20 and rip up the whole parcel with testing to do a  
21 conventional subdivision layout, when the whole point  
22 of it is to preserve land. So you use existing  
23 information that's available at a high level to  
24 generate a preliminary determination of lot yield.  
25 And his response I think was largely based on that

1 information. And I don't mean to put words in his  
2 mouth, but that was what we suspected. We had the  
3 additional advantage of a former developer who  
4 compiled a huge amount of site-specific data. And we  
5 used that data, relying on the fact that all the  
6 things that Christine said were true and that likely  
7 a town sanitarian was present during that activity.  
8 When we go to detail design, all of that information  
9 will have to be reverified to confirm feasibility.

10 MR. ARESCO: So to clarify my thinking, if that  
11 data had not been available, that data would have had  
12 to have been compiled by you to come up with this  
13 yield.

14 MR. ROYSTON: No.

15 MR. ARESCO: No.

16 MR. ROYSTON: As a matter of fact, not. If you  
17 take a look at the regulation -- and this is one of  
18 the great dilemmas in it, is that you want to  
19 establish what is a reasonable development potential  
20 to the property. And a regulation doesn't say you  
21 have to do any testing at all. It says you do that  
22 based upon soils analysis, slope analysis and the  
23 like. Because the whole intent of your regulation  
24 was not to require someone to go out and fully  
25 engineer the site. Because this applicant did have

1 available that information, that --

2 MR. ARESCO: You used it.

3 MR. ROYSTON: -- it had already been done. They  
4 have applied that information. But it is the dilemma  
5 of the regulation. And one of the things I have  
6 noticed in going through the process and, again,  
7 probably the reason why the old regulation was never  
8 used in all that time, and we are kind of falling a  
9 little bit into the same trap, is to say we'll go out  
10 and prove it by going out and digging all the test  
11 holes, taking backhoes and doing all that stuff in  
12 order to get that lot count. And that's not what the  
13 regulation says and that's not what it was intended  
14 to do.

15 MR. ARESCO: So you'll find out at the actual --  
16 when you do your detail, what's going to be -- what  
17 the actual lot number is. That's all I'm saying.

18 MR. ROYSTON: When you go to the open space  
19 subdivision, that's --

20 MR. ARESCO: That's when you're going to know.

21 MR. ROYSTON: To the extent -- in the open space  
22 subdivision, we're going to have sewer. There's  
23 going to be community septic systems. You are not  
24 going to have on-site septic systems.

25 MR. ARESCO: Thank you.

1 MR. BRANSE: Mr. Chairman.

2 CHAIRMAN MCINTYRE: Yes.

3 MR. BRANSE: I want to be sure that Mr. Aresco  
4 is -- I want to make sure there's proper  
5 communication going on here. I believe Mr. Royston's  
6 expressed it correctly, that as the -- per the  
7 regulation you don't need any test pits, all right.  
8 It's supposed to be determination of yield of  
9 carrying capacity of the property based on available  
10 data which typically would not involve any test pits,  
11 would typically be slope analysis, soils, those types  
12 of things. They are saying because they have some of  
13 that, they have used it where they had it.

14 MR. ARESCO: I got it.

15 MR. BRANSE: But the final number of lots --  
16 this is where I felt -- I was concerned to where you  
17 were going. The final number of lots in the open  
18 space subdivision is one of the things you will need  
19 to determine based on their analysis and the analysis  
20 of your own consultants as well as any questions or  
21 observations that you have. So when you said, well,  
22 you'll determine the final number when you do your  
23 final design, no. The final number will be part of  
24 this process.

25 MR. ARESCO: Because I'm reading one of the



1 assessments that was done by Wendy Goodfriend. And  
2 I'm seeing many recommendations. And it seems to me  
3 that some of these recommendations -- I mean I don't  
4 know when we want to talk about them, if that's  
5 tonight or next time or maybe when Dr. Klemens gets  
6 into his presentation. But it seems like, you know,  
7 that some of this might impact on the number of lots  
8 that you can yield from this property. So I'm trying  
9 to get my arms around that. How do we incorporate  
10 this into what he's saying? Because she's saying  
11 things -- I mean she's got buffers here. And I want  
12 to talk about that a little later on.

13 When do we get to look at what -- the  
14 information she's given us here and how that impacts  
15 on the number of lots and try to come up with -- I  
16 mean how does that work?

17 MR. LANDINO: That's a very legitimate concern,  
18 because you have four or five consultants all making  
19 recommendations. So what we are trying to do to make  
20 it more streamlined is we're compiling our response  
21 from all of your consultants into one letter. And we  
22 are going to try to connect all of the different  
23 comments and give you our response in an organized  
24 fashion so that you'll have one response. It ain't  
25 going to be short, but you'll have one response that

1 will include answers to questions from every  
2 consultant. And when you get that you're going to  
3 need time to look at that and understand it. You  
4 won't be able to respond immediately. And your  
5 consultants are going to need to respond to it.  
6 That's what I suggested earlier to the chairman, that  
7 this is going to go on for at least one more meeting  
8 and maybe even two or three, depending on how things  
9 evolve. So I don't think those answers are  
10 forthcoming this evening, because they require a  
11 response by us. And that's what we are giving to you  
12 next week. And I don't think you'll be able to  
13 respond immediately because of the volume of  
14 information you'll get.

15 MR. ARESCO: No.

16 MR. LANDINO: So I hope that makes sense. It's  
17 late. I watched the elections last night.

18 CHAIRMAN MCINTYRE: Me, too. Are there any  
19 other questions from the board? Okay.

20 MS. MORANO: Mr. Chairman.

21 CHAIRMAN MCINTYRE: Yes.

22 MS. MORANO: Can I just ask something about the  
23 availability of information? My name is Belinda  
24 Morano. Will these maps be available for the public  
25 at the town hall as we go forward from this meeting,

1 the next meetings so that people who can't be here  
2 tonight can see these?

3 CHAIRMAN MCINTYRE: As a matter of fact, that's  
4 a good question, because I had written down earlier  
5 when we first started this to ask Chris this.  
6 Because these have been presented here, are these not  
7 exhibits?

8 MS. NELSON: They can be, actually. And what  
9 would be most convenient would be like 11-by-17  
10 copies for the record as well as the large format,  
11 which is easier to read.

12 MR. LANDINO: Do you want us to leave the  
13 boards? We're happy to. Or we can just give you  
14 copies.

15 CHAIRMAN MCINTYRE: It's up to the staff.

16 MS. NELSON: I prefer copies.

17 MR. BRANSE: Let me just -- Mark Branse for the  
18 record. I believe, correct me if I'm wrong,  
19 Mr. Royston or Mr. Landino, I believe everything that  
20 you're showing the commission in color is already on  
21 file in a blue line; is that correct?

22 MR. GODERRE: No, not everything.

23 MR. LANDINO: Some of the photographic elements  
24 have been customized to make it easier for everyone  
25 to read. So they are unique in that respect. In

1 other words --

2 MR. BRANSE: Not just the color.

3 MR. LANDINO: -- they have been simplified.

4 They have been simplified so that -- because if we  
5 added all the detail of all the other plan sheets,  
6 even we wouldn't be able to understand them. It's  
7 very complicated.

8 MR. BRANSE: I see. So these boards do depict  
9 things that aren't on the blue lines, besides just  
10 the fact that they are in color.

11 MR. LANDINO: I don't think they depict anything  
12 new, but they are different than what was submitted  
13 to make things clearer and easy to recognize.

14 MR. BRANSE: Then they probably should be added  
15 as exhibits.

16 MS. NELSON: I don't want the boards.

17 MR. BRANSE: I know you don't want the boards.

18 MS. NELSON: Give me something I can fold.

19 MR. BRANSE: It is allowable to give -- using  
20 reduced -- if these are copied reduced versions are  
21 also acceptable for record purposes.

22 MS. NELSON: Or the E size and foldable.

23 MR. ROYSTON: We will provide those for the  
24 record so that they can be marked as exhibits on your  
25 exhibit list by your meeting next week.

1 MS. NELSON: Thank you.

2 MS. GALLICCHIO: Are we doing full size?

3 MR. ROYSTON: Whatever you want.

4 MS. GALLICCHIO: I'd prefer full size, because I  
5 would like a chance to look at them carefully.

6 MS. NELSON: Right.

7 MS. GALLICCHIO: Not my individual copy, but at  
8 the town hall.

9 CHAIRMAN MCINTYRE: So you're saying you want to  
10 have them available at the town hall, not for  
11 every --

12 MR. GALLICCHIO: Not for each member, but at the  
13 town hall in the size which they are now.

14 CHAIRMAN MCINTYRE: Okay. Any other board  
15 members have any issues with that? Good.

16 Can we get a motion to continue the public  
17 hearing?

18 MR. HANES: I'll make a motion --

19 MR. BRANSE: To where?

20 CHAIRMAN MCINTYRE: To where, yes.

21 MS. NELSON: I did call. The auditorium is  
22 available.

23 CHAIRMAN MCINTYRE: Okay.

24 MR. HANES: I will make a motion that we  
25 continue the public hearing on The Preserve Special

1 Exception for Open Space Subdivision, 934 acres total  
2 and open space 542.2 acres, to next Wednesday at the  
3 middle school auditorium, 60 Sheffield Street, at  
4 8:00.

5 MR. ARESCO: Oh, 8:00, not 7:30?

6 MR. HANES: No. Seven thirty is our meeting.

7 MR. ARESCO: Oh, I see. I got you.

8 CHAIRMAN MCINTYRE: We have to go over the  
9 minutes again.

10 MR. HANES: November 10, next Wednesday, Chris.

11 MS. GALLICCHIO: I'll second the motion.

12 CHAIRMAN MCINTYRE: Okay. The motion is made by  
13 Stuart Hanes; the second by Judy Gallicchio to  
14 continue the public hearing to the middle school at  
15 8:00 on next Wednesday, the 10th.

16 Any discussion?

17 MR. ARESCO: No.

18 CHAIRMAN MCINTYRE: Hearing no discussion, all  
19 in favor.

20 (Affirmative response given by all.)

21 CHAIRMAN MCINTYRE: Opposed.

22 (No response.)

23 CHAIRMAN MCINTYRE: Okay, passed.

24 (Whereupon, the meeting was adjourned at  
25 10:38 p.m.)

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C E R T I F I C A T I O N

I, Debrah Veroni, Registered Professional Reporter, do hereby certify that the within and foregoing 118 pages are a true and accurate transcription of my steno notes taken at the Public Hearing held by the Old Saybrook Planning Commission on the 3rd day of November, 2004, at the Pashbeshauke Pavilion, Old Saybrook, Connecticut, in the matter filed In Re: The Preserve Special Exception for Open Space Subdivision.

Certified this 8th day of November, 2004.

Debrah Veroni, RPR, LSR

