



TOWN OF OLD SAYBROOK  
Planning Commission

**Executive Board**  
*Robert J. McIntyre, Chairman*  
*Kathleen R. Smith, Vice Chairman*  
*H. Stuart Hanes, Secretary*

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**Members**  
*Judith S. Gallicchio*  
*Richard R. Tietjen*

**Alternate Members**  
*Salvatore V. Aresco*  
*Janis L. Esty*  
*James S. Conroy*

**MINUTES**  
**Wednesday, January 12, 2005 at 7:30 p.m.**  
Middle School Auditorium  
60 Sheffield Street

**I. CALL TO ORDER**

Chairman McIntyre called the special meeting to order at 7:33 p.m.

**II. ROLL CALL**

**Present**

Robert McIntyre, Chairman  
H. Stuart Hanes, Secretary  
Judith Gallicchio, Member  
Richard Tietjen, Member  
Janis Esty, Alternate Member, seated for Kathleen Smith  
Salvatore Aresco, Alternate Member  
James Conroy, Alternate Member

**Absent**

Kathleen Smith, Vice Chairman

**Also Present**

Bill Pease, Selectman  
Bruce Hillson, Traffic Consultant  
Rich Snarski, Soil Consultant  
Geoff Jacobson, Town Engineer  
Wendy Goodfriend, Natural Resource Specialist  
Mathew Willis for Mark Branse, Commission Attorney  
Christine Nelson, Town Planner  
Kim McKeown, Recording Clerk

**III. REGULAR BUSINESS**

**A. Meeting Minutes**

**MOTION** to review and approve the meeting minutes of December 8, 2004, December 11, 2004 and December 15, 2004 at the January 19, 2005 meeting; **MOVED** by H. S. Hanes; **SECONDED** by J. Gallicchio; **APPROVED** by R. McIntyre, H. S. Hanes, J. Gallicchio, R. Tietjen, S. Aresco, J. Esty, J. Conroy; **ABSTAINED** by none; **OPPOSED** by none.

**IV. PUBLIC HEARINGS**

**“The Preserve” Special Exception for Open Space Subdivision (934 ac. total) & Open Space (542.2 ac.)**

Ingham Hill and Bokum Roads (Map 55, 56 & 61 / Lots 6, 3, 15, 17, 18)  
*Residence Conservation C District, Aquifer Protection Area*  
Applicant: River Sound Development LLC Agent: Robert A. Landino, P.E.

Robert McIntyre, Chairman stated the order of the meeting to be as follows: Applicant's Opening Statements, Town of Essex; Selectman Bill Pease; Connecticut Fund for the Environment; the Public; Town of Old Saybrook Staff and Old Saybrook Planning Commission Members; and Applicant's Closing Statements.

David Royston, representing the applicant stated that material had been previously submitted to the Planning Commission with regards to written responses to comments made at the last public hearing. Mr. Royston stated that the nature of the application is a special exception to the Zoning Regulations to allow the applicant to proceed with an open space plan. The plans submitted to the Planning Commission are preliminary, conceptual materials. No Wetlands application has been submitted because the applicant is not seeking to conduct activities that require a permit. There will be many future applications, including to the State DEP and DOT, to the Towns of Essex and Westbrook, as well as to the Town of Old Saybrook. The Special Exception application does not provide a preservation option. Mr. Royston continued by stating that the Planning Commission has six (6) decisions to make: (1) Is the site more conducive to an open space subdivision or a conventional subdivision? (2) If the site is more conducive to an open space plan, how many lots within the plan? Considering site soil testing information and codes regulating septic systems, what is the lot yield? (3) Whether or not there is a requirement for golf course in the conventional plan if it is shown in the open space plan? The applicant believes this the inclusion of the golf course in the conventional plan is not a requirement; however the applicant has included conventional plans with the golf course. (4) Consider that under a conventional plan, 293 lots would be allowed; however, the applicant is applying for 240 lots max. If the special exception is denied, how many lots would be appropriate for the site.

Dennis Goderre, representing the applicant, stated that in Response #4 submitted by the applicant to the Planning Commission 10 lots were removed under the open space plan. Roadways were revised following alternative design standards, which required that 20 lots be revised. Revised open space plan continues to protect natural resources by reducing the disturbance by homes and roadways to wooded areas. Revised plan protects cultural resources by removing 3 lots along Ingham Hill Road to protect the stone walls. Through soil type analysis, the applicant has determined that could apply for 350 home conventional subdivision plan; using the Towns standards set by Jacobson's soil analysis, the applicant could apply for 252 homes. The proposed open space plan only allows for 240 homes. According to Mr. Goderre, the golf course in the open space plan cannot be overlaid the conventional plan. The applicant has presented the Planning Commission with a proposed conventional plan with a golf course for conceptual use only. In summary, the revisions to the open space plan (1) increase the open space area to 517 acres by reducing the number of lots; (2) protect cultural and natural resources by eliminating or reducing lots along Ingham Hill Road and revising golf course paths which will allow Ingham Hill Road, the dam area, the stone walls and the homestead to be preserved as part of the open space area. All archeological sites are being preserved in

the open space. And (3) provide social interaction and activities by moving the fire station and tank to add green areas.

David Royston, representing the applicant, continued to state that the Planning Commission should consider (5) if the open space subdivision is reasonably likely to impair the natural resources as compared to the conventional plan. The applicant believes the evidence presented by the representatives and opposition supports an open space plan. The applicant states the proposed open space plan will not pollute or destroy natural resources.

Michael Kline, biologist representing the applicant, referred to Response #4, Appendix G, stating that the open space plan will retain 90% of the tree cover around the perennial streams. Referring to Map #16, the total area of canopy to be removed is 635 linear feet. Careful consideration will be given to State listed plants. Vegetation management at the golf course will be planned and monitored. The proposed open space plan places the golf course with a set back from Pequot Swamp. Design measures have been implemented to protect amphibian and bird life. Referenced Breeding Bird Survey Points Map #15, stating that 80% of the sample points are included in wetland areas. The detailed biological survey meets or exceeds requirements. Open space plan will not pollute natural resources.

Stuart Cohen, scientist representing the applicant, referred to the USGS Pesticide National Synthesis page 1, which listed pesticides that are allowed to be used on golf courses; however, have been found in very few states. The newscast presented at the last public hearing has been proven wrong. Referring to Appendix H of Response #4, the Town Planner of South Hampton stated that the ground water quality has not been effected by the golf course and is routinely monitored. An integrated pest management plan as proposed in the open space plan has been expanded to include the monitoring of both the golf course and homeowners. Natural resources are protected under the preliminary open space plan.

David Royston, representing the applicant, continued by stating that the Planning Commission should consider (6) the feasibility and impact of alternatives to the open space plan. Previously presented alternatives, including roads, habitat and wildlife studies, and maps, have been presented to the Commission for review as part of the record.

Matthew Ranelli, representing the Town of Essex, listed several letters that have been submitted for the record, including a letter from the Town of Essex opposing the application; a letter from the State Attorney General opposing the application; a letter from the State DEP stating that the department had not received an application seeking a permit to cross the railroad tracks as proposed in the conceptual open space plan; and a letter from Matthew Ranelli detailing the Planning Commissions options. Mr. Ranelli stated that the applicant has overstated the yield in the conventional plan. The applicant has also not included a golf course in the conventional plan. The open space is not measured by just acres, but by use. Open space is to be contiguous as to maximize the area. The golf course diminishes the open space. The applicant has not meet the Commission's request to overlay the golf course over the conventional plan. If the golf

course from the open space plan is overlaid over the conventional plan, the yield will be reduced by 100 units. The applicant does not have the permission of the State to use Bokum Road. According to the State DEP, the department has not received an application to use the land and the department does not have plans to grant a request. Mr. Ranelli stated that the applicant must gain approval from the State first or provide evidence that it is reasonably probable that the request will be approved. Also, the applicant has failed to comply with road and bridge requirements. The application is for an approval to move forward, not simply for a conceptual plan. The open space plan does not satisfy regulations. Information requested from the applicant has not been provided to the Commission. Open space plan with the golf course diminishes what the Town is trying to do with it's open space regulations, which is to have meaningful open space. The Town of Essex requests that the Planning Commission deny the application.

Phil Miller, Selectman, Town of Essex, spoke of concerns regarding the watershed areas. The decision the Planning Commission must consider is private rights verses the public trust, including the impact of the subdivision on surrounding communities and neighborhoods regarding traffic, financial liabilities, and the Oyster River. The proposed open space plan is unsound, which is why the Selectmen of Essex and Westbrook have penned letters requesting the Planning Commission deny the application. Mr. Miller introduced several public officials present at the meeting, who support the Towns' request to preserve the area.

Bill Pease, Selectman, Town of Old Saybrook, spoke of concerns regarding the liability to the Town regarding the bridges. Wondered why considering a hypothetical project. The Towns' of Westbrook and Essex have denied granting approval to the applicant. The DEP has denied previous applications for the Lease-Hold of the land off Bokum Road. Alternate road options have not been approved by the Board of Selectman. According to Selectman Pease, those that live in the proposed community will not shop in Old Saybrook because they cannot get from their homes to Old Saybrook. The Planning Commission should reject the project and should not consider a hypothetical project. The applicant should address the fire issues, including initial and on-going costs. The applicant should come back to the Commission with another plan.

Robert McIntyre, Chairman, Planning Commission, called a break.

Charles Rothenberger, representing the Connecticut Fund for the Environment, stated that a Response Critique on the Financial Impact had been previously submitted to the Commission for the record. The applicant's proposed plan must meet the goals of the Town to provide large meaningful open space, preserve natural resources, and protect water resources. The CFE believes the proposed open space plan does not meet this criteria. It is reasonably likely that the proposed plan will impair the public trust and pollute the water resources. The CFE will demonstrated and alternative open space plan in it's presentation.

George Logan, scientist for the Connecticut Fund for the Environment, read through the presentation submitted into the record. The CFE presentation included: GIS landscape level study used to compare alternative and their impact to the proposed plan of the applicant. Landscape ecology, habitat fragmentation and forest fragmentation where

considered in measuring the impact of the proposed plan and alternatives. Landscape scale metrics; Lists of resources; Maps with overlays of large intact forest; Impacts of applicant's proposal, including forest fragmentation, negative edge effect, loss of wetlands, habitat degradation, water quality impairment; Proposed an alternate plan. Mr. Logan referred to exhibits, which compared proposed open space plan, a conventional plan, and an alternate development with the existing site in the areas of Unfragmented Forest, Water Resources, and Vernal Pool Habitat. The alternate plan developed by the CFE is away from watershed areas.

Charles Rothenberger, representing the Connecticut Fund for the Environment, referred to the exhibits described by Mr. Logan pointing out that the alternate plan exceeds the proposed open space subdivision in protecting the natural resources of the site.

Robert McIntyre, Chairman of the Planning Commission opened the hearing to the public for comment.

Dr. Robert Pawitz, Sanitarian, Town of Westbrook, stated concerns regarding the ground water. Potential for contamination during construction. Need some assurances from the applicant that if wells are disturbed, then the applicant or Town will provide Town water.

Ron Manzi, Old Saybrook, stated his opposition to the development. Any type of development will reasonably pollute the environment. There will be no positive impact on the Town if the development is approved. Regarding well water supplies, what will the Town do if the wells are contaminated?

Barbara Maynard, Old Saybrook, described a recent newspaper article regarding the Exchange Club Pond that is currently too low to be used for ice skating. Water table is sensitive to pumping. What will pumping required to satisfy the golf course, do to the water table? Ms. Maynard requested that the Commission members look into the water table issue.

Frank Hall, Essex, stated his concerns regarding construction traffic and homeowner traffic once 250 homes are occupied. There will be an impact on adjoining roads throughout the area.

Carol Basham, Old Saybrook, restated Selectman Pease's concerns regarding unfunded liabilities. If the applicant deeds over land to the Town, the Town is taking on liabilities.

Chris Cryder, Old Saybrook and Connecticut Fund for the Environment, discussed the site walks and viewing by the Commission members of 25% of the land, including vernal pools. The decision of the Planning Commission will impact the future of Old Saybrook and drive future planning. Pointed to the Town of Old Saybrook's Plan of Conservation. According to Mr. Cryder, the applicant's proposal is not in keeping with Plan of Conservation. Presented a power point presentation showing the natural resources of the site including water ways that feed into rivers, wetlands, ponds and the Sound, and wildlife. The area must be preserved as a public trust. Ideally, Mr. Cryder would like to have the site purchased and protected; however if have to choose a development option, Commission should choose the proposal with the least impact. As part of presentation,

laid over proposed development over map of natural site, questioned whether the proposal meets the requirement for contiguous open space. Showed a layover of alternative development option, which maintained more contiguous open space areas. Traffic impact has not been analyzed under the alternative development option. Submitted to Commission a map with overlay of applicant's proposal demonstrating plan not sensitive to water resources. Alternative plan offers lower risk to ensure water quality for future. Referred to previous CFE presentation and power point slides. Reviewed open space application process and approval. Listed resources on site. Stated number of units no greater than conventional subdivision. Stated that Commission must consider the protection of health, safety and values. Mr. Cryder read a portion of previous Tim Taylor IPO plan, which stated golf course would not meet Old Saybrook requirements for open space. Urged Commission members to deny application and require applicant to redesign proposal. A copy of the power point presentation was submitted for the record.

Mark O'Neil, Westbrook, expressed concerns over the jurisdiction over the swamp areas. Who is responsible and liable for open water areas? Look to future and have foresight to protect land. Sighted Central Park in NYC as an example. The preserve area is 8% of the property in Old Saybrook. Population will grow. Should provide alternative small cluster housing developments. The Town of Westbrook opposes the project. Where is the benefit to the Towns. Mr. O'Neil's issue is that we are running out of space, water and air. Requested that the Commission look to the future 50 years, 100 years.

Robert McIntyre, Chairman of the Planning Commission, closed the public portion of the hearing.

Town of Old Saybrook staff had no comments or questions. Previously on the record and in writing.

Robert McIntyre, Chairman of the Planning Commission, opened the hearing to the Commission members.

Janis Esty, had several questions for the applicant: Does the percentage of disturbed landscape include the golf course? What about pesticides concerning mosquitoes?

Dennis Goderre, representing the applicant, stated that the percentage of disturbed land is broken down in Response #4 and then totaled and does include the golf course.

Stuart Cohen, representing the applicant, stated that past plans have not dealt with mosquito abatement; however as part of the maintenance plan, mosquitoes will be addressed. Also, a healthy amphibian count will keep the mosquitoes under control.

Judith Gallicchio, had several questions for the applicant: At the November 17 meeting the Commission had requested that the private and public roads be labeled. Has that map been submitted to the Commission? What will be the impact of the height of the grass on the golf course and the frequency of the mowing of the golf course on small animals? What is the total road length, both public and private, in the conventional plan and the open space plan? What is the total length of the golf course/cart paths? Will there be one

homeowners association that includes both the estate homes and the village cluster homes? Are the golf course fairways considered part of the conservation of open space? Have the cart paths been moved from the dam area under the revisions? The estate lots require a conservation easement; how do we keep the estate lots from resubdividing into smaller lots? For the record, Ms. Gallicchio stated that she had to leave early from the December 8, 2004 public hearing; however, she has reviewed the transcripts from the meeting along with the exhibits presented and feels qualified to vote on the application. The archeological report suggests giving further consideration of prehistoric sites, specifically located in the areas L, M, & S on the maps. Could you point out these blocks of land on the maps?

Dennis Goderre, representing the applicant, stated that the map with labeled roads is included in Response #4, Appendix K. Under the conventional plan, there are 7.8 miles of public roads; with no private roads. Under the open space plan, there are 4.3 miles of public roads and 1.0 mile of private road, 5.3 miles of road total. Do not have the golf course/cart paths length. The fairways are not part of the conservation of open space. The cart paths have been moved from the dam area. The estate lots have been reduced in size in the revision and do not need conservation easements. Mr. Goderre added later in the meeting that the golf course is 7000 yards 2100 feet, which would include cart paths around the golf course, which is 4 plus miles of cart paths. Mr. Goderre pointed out the blocks of land mentioned in the archeological report. Block L is in Essex, block M is on the Essex line and block S is located in the lower corner of the map. All locations do not include development.

Stuart Cohen, representing the applicant, stated that there will be no impact on amphibians regarding the height of the grass. However, there is an issue with the timing of the mowing of the golf course grass. Mowing will take place at the end of the day rather than the morning.

Michael Klemons, representing the applicant, stated that the best time to mow is late in the day, when it is hot and the animals are less active. This is an ongoing discussion with the applicant.

David Royston, representing the applicant, stated that under the proposed development there will be a master plan of residential development with a master association that includes the estate homes. Within the plan there will be cluster homes and thus there will be a second association for the village cluster homes. Under the Zoning requirements established in the special exception application, the estate homes cannot be resubdivided into smaller lots. The special exception application is for 240 homes; thus, no homes could be added in the future.

H. Stuart Hanes had several questions for the applicant: Was an overlay of the golf course over the conventional plan provided to the Commission? Will privately owned golf carts be permitted on the roadways or on specific paths from the homes to the golf course? Will the paths be open to the public after golf course hours or during course play?

Dennis Goderre, representing the applicant, stated that the applicant did not provide an overlay of the golf course over the conventional plan as it is not a plausible plan. Golf

carts would not be allowed on public roads. The only golf carts allowed on the course would be owned by the golf course. The paths will be open to the public during course play.

Richard Tietjen had several questions for the applicant: Is there a concern for safety regarding the golf course being placed next to the roads? What safety considerations are in place for the road through the village, which appears straight on the maps? Mr. Tietjen stated that speeds along the road can be reduced by not having straight roads, rather roads that follow the natural topography of the land, along with other traffic calming features. Does the bike and pedestrian path continue down to I-95? How much of the proposed open space plan relies upon access from Route 153? Does the access point have a max grade of 10%? What happened to the east village? Is it still in the plan?

Dennis Goderre, representing the applicant, stated that the architect of the golf course provided written testimony in Response #3 that the golf course meets public safety guidelines. The main street through the village is less than a mile long with a bend and will include street safety elements, including trees, lighting, narrowing of the road, pedestrian oriented, and traffic calming speeds. The proposed path follows along the spine road to Bokum Road, not to I-95. Follow alternate road way design standards, including the max 10% grade, which has been reduced to a max of an 8% grade for a certain length and 6% max grade for the remainder of the road. The proposed plan uses sound engineering and knowledge of the site to protect both the habitat and ensure public safety. The east village is included in the revised plan.

David Royston, representing the applicant, stated that what is detailed on the maps are part of the preliminary open space plan. The golf course will require future special exception approvals from the Planning Commission and Zoning Commission, at which time the proximity of the golf course will be reviewed with regards to safety.

Salvatore Aresco had several questions for the applicant: For clarification purposes, what is the total number of miles in the open space plan? In the open space plan compared to the conventional plan, should the road lengths be included in the PDR? Also, the PDR shows minimum ½ acre lots, does this change the undisturbed area? If there are cluster housing with the PDR in the conventional plan, does this increase the amount of land preserved? Are there amphibians and animals in the Pequot swamp area? At previous hearings, there was a suggestion for a wider buffer around the swamp area. In the Response, the applicant stated that there is no legal reason for a buffer greater than 100 ft and no scientific evidence to support a larger buffer area. Submitted 2 papers into the record, which state the need for larger buffer area around swamps. On the site walk, observed walking on bedrock with many rock structures. Blasting today is controlled, but does it guarantee that it won't cause cracks and fishers? Mr. Aresco detailed a personal story of well contamination. Pesticides come on the market and then later determined to be unsafe. What assurances do we have of any future effects of the pesticides? What guarantees do we have the bridge program will continue and the Federal government will not change or end the funding for bridge maintenance?

Dennis Goderre, representing the applicant, stated that there are 5.3 miles of road total in the proposed open space plan. Mr. Goderre requested that the Commission members not



assume that because markers were seen on the site, that blasting will occur at those locations because there are not detailed plans.

David Royston, representing the applicant, stated that the ½ acre lots are shown as a comparison to the cluster homes. The larger lots are shown for informational purposes only. Mr. Royston stated that the cluster housing and PDR should not be combined. The PDR refers to the village area. In order to have cluster housing, there must be a community sewage disposal system. The village is dependent on a common sewage system. Without the golf course, the plan cannot have the village because more, larger lots with their own septic system would not be economically prudent for a village with only 75 units.

Michael Klemons, scientist for the applicant, confirmed that there are amphibians and animals in the Pequot swamp area. There is scientific data on Pequot swamp, but not on the vernal pools. None of the kind of animals that would require buffers greater than 100 ft exist in the swamp area.

Stuart Cohen, scientist for the applicant, stated that in the November 3, 2004 submission, tests will continually be done on the soil and plants within a 200 ft buffer of the water areas and nitrogen use will be restricted. Team work is required to determine risk calculations in the IPM. For example, if cracks are found by the geologist, they will be reported to the other scientists to act accordingly. Mr. Cohen stated that the plan proposes minimal exposure to pesticides. If the exposure is kept down, then there is no risk.

Sam Haddock stated that blasting companies apply pre and post standards to determine the effects of blasting on the land and wells. The blasting companies assume liability for contaminates. Also, the IPM will address contamination concerns by using controlled products that bind to soil and plants. The blasting that will be done will be controlled unlike the situation in Mr. Aresco's personal account. Also, the IPM, which will manage the golf course, will prevent run off and leeching.

Bob Landino, representing the applicant, the issue regarding the bridges is for the next level of permitting, as the Commission will consider if the bridges should be private or public at that time. If the State or Federal governments changed the bridge program, there would be a larger problem than the few bridges in Old Saybrook.

Robert McIntyre had several questions for the applicant, including: In previous hearings, the applicant stated that public recreational areas would be included if the Town requested. Are those areas available and included in the revised plan? How will there be restrictions on resubdivisions? Where the trails and open space areas are joined together, Mr. McIntyre feels that the open space trail should be moved away from the golf cart path if feasible. Selectman Pease mentioned 5 bridges, are there 5 now?

Dennis Goderre, representing the applicant, stated that a the proposed plan is not an active recreational area, rather a passive recreation area with those areas provided. Do to the type of development proposed, it is difficult to include active recreational activity sites, such as land for fields. The combined trails and golf cart paths are proposed areas

only, the applicant is open to suggestions from the Commission. In the proposal there are 3 bridges and 2 other structures that qualify as crossings and part of the State bridge program.

David Royston, representing the applicant, stated that there has not been any land found suitable for active recreational activities, such as fields. For the record, active recreational areas are not feasible. Unlike in Otter Cove, where the restriction to resubdivide expired and thus fell under Zoning regulations, the proposed development will limit the number of lots to 240 units through the PDR.

Robert McIntyre called for a break.

The applicant was given time for closing statements.

David Royston, representing the applicant, responded to information submitted tonight, including Attorney General Bloomenthal's letter dated 1/11/05, in which Mr. Bloomenthal supports efforts to purchase the property; however, non-development is not before the Commission; Mr. Bloomenthal suggests the Commission fully evaluate the proposal for environmental, economic and esthetic considerations, the applicant agrees; and Mr. Bloomenthal includes beaches in his letter, however, the property does not include any beaches. Mr. Royston pointed out that the applicant provided a conceptual plan for a golf course in a conventional development. This plan is informational only and was not required by the regulations. In considering alternate plans, Mr. Royston stated that eliminating the golf course will not add 250 acres. Regarding the crossing of the railroad tracks, when the previous application was submitted to connect Bokum Road to the property, it was at a grade crossing and was turned down due to species present.

Dwight Marian, representing the applicant, stated with regards to the railroad crossing, that the applicant had been in contact with Elizabeth Brothers of the DEP Land Acquisition and Management. It is not standard practice or legally required to obtain a permit from the State prior to other local permits. Many applications will be submitted to both the State and local Towns are required. Mr. Marian attempted to demonstrate certainty of approval of application by the State, as Ms. Brothers, DEP, has requested the application and stated will process the request.

Bob Landino, representing the applicant, stated that both the State DOT and DEP will need to give approval for the railroad crossing. The tracks in question are maintenance tracks only.

Matthew Willis, Commission Counsel, questioned the applicant regarding the situation of previous easements for permit for easements rather than property transfer. Also, requested clarification on crossing of railroad tracks or bridge over railroad tracks. Finally, requested clarification from the applicant regarding permits and property rights transfers.

David Royston, representing the applicant, stated that the application will be for an easement, not for property transfer. Submitted letter in support of proposed plan as a feasible, prudent and sound alternative.

Dwight Marian, representing the applicant, stated that the applicant is proposing a bridge over the tracks and seeking an easement on the property. Mr. Marian stated that the applicant would be seeking a permit, he is not sure that property rights would be required. Submitted memo dated 1/7/05.

Stuart Cohen, scientist for the applicant, described scientific standards as established by the U.S. Supreme Court, which include theory tests, peer reviews, error rates, and generally accepted methods. The CFE plan does not meet these standards.

Sam Haddock, representing the applicant, stated that the CFE alternative plan is not prudent or feasible from an engineering perspective. The applicant’s proposed plan includes sound ecological, environmental and engineering design principles. In the CFE alternative plan, Route 153 goes off a cliff, wetlands would need to be filled, run off could not be controlled from flowing into the Oyster River watershed, there is no indication of waste water treatment, and no leaching fields.

Michael Kline, scientist for the applicant, stated that the CFE alternative plan uses the property line as the boundary rather than natural resource boundaries, used general data rather than site specific information, the utility right of way is not included in the plan, which impacts the contiguous open space, the edge effect of 400 ft is not justified, and it does not conform with DEP science.

Michael Klemons, scientist for the applicant, stated that the Commission must decide what type of development should go in the site. The Commission has the information to make an informed decision based upon biological surveys and sound biological plans. The site is large and unique. The Commission should protect as much as possible.

Bob Landino, representing the applicant, thanked the Commission, the public, and those that oppose the proposal. Submitted Vincent Pacileo’s, Board of Selectman in Essex, statement for the record. Requested that the Commission seek balance for the development of the property. The golf course is a crucial element to the community and the conservation of the open space.

**MOTION** to close the Public Hearing regarding the “The Preserve” Special Exception for Open Space Subdivision (934 ac. Total) & Open Space (542.2 ac.); **MOVED** by H. S. Hanes; **SECONDED** by J. Gallicchio; **APPROVED** by R. McIntyre, H. S. Hanes, J. Gallicchio, R. Tietjen, S. Aresco, J. Esty, J. Conroy; **ABSTAINED** by none; **OPPOSED** by none.

**MOTION** to continue review of the “The Preserve” Special Exception for Open Space Subdivision (934 ac. Total) & Open Space (542.2 ac.) application and to begin deliberation at a special meeting scheduled for January 25, 2005 at 7:30 p.m. at Town Hall first floor conference room located at 302 Main Street; **MOVED** by H.S. Hanes; **SECONDED** by J. Gallicchio; **APPROVED** by R. McIntyre, H. S. Hanes, J. Gallicchio, R. Tietjen, S. Aresco, J. Esty, J. Conroy; **ABSTAINED** by none; **OPPOSED** by none.

V. ADJOURNMENT

**MOTION** to adjourn the meeting at 12:35 a.m. until the next regular meeting, scheduled for January 19, 2005 at 7:30 p.m. at the Pasbeshauke Pavilion at Saybrook Point Park located at 155 College Street Extension; **MOVED** by J. Gallicchio; **SECONDED** by R. Tietjen; **APPROVED** by R. McIntyre, H. S. Hanes, J. Gallicchio, R. Tietjen, S. Aresco, J. Esty, J. Conroy; **ABSTAINED** by none; **OPPOSED** by none.

Respectfully Submitted,

Kim McKeown, Recording Clerk