



Connecticut River Coastal Conservation District, Inc.

deKoven House Community Center – 27 Washington Street – Middletown, CT 06457
Phone (860) 346-3282 – Fax (860) 346-3284 – E-mail: ctrivercoastal@ct.nacdn.net.org

MEMO

To: Christine Nelson, AICP, Old Saybrook Town Planner

From: Wendy Goodfriend, PhD; Geoffrey L. Jacobson, P.E.; Richard Snarski, CPSS, PWS, CPESC

Date: February 16, 2005

Re: The Preserve – Summary Response for Planning Commission Determination Questions #3, #4, #5, and #6

This memorandum provides a summary response with respect to four of the six determinations to be addressed during deliberation on the proposed Preserve project. Similar to our Summary Response memo dated January 27, 2005 regarding Questions #1 and #2, this response is based on a collaborative review effort undertaken by the authors, and should be considered in conjunction with input from consultants of other disciplines in order to make a comprehensive determination on this project.

The four determinations (Question 3-6) are identified below in bold underlined text. Our responses which follow are based on previously identified issues and recommendations. Supporting information and discussion on these issues and recommendations can be found in our previously submitted memorandum on this application.

Q3. Once the yield plan numbers are determined, should the Proposed Preliminary Plan be approved as submitted or should it be modified/conditioned and approved?

The proposed Preliminary Open Space Plan should be **modified and/or conditioned prior to approval** to ensure the protection and preservation of the highest value and most unique natural resources on the subject property.

Q4. If modified/conditioned, in what way?

The proposed Preliminary Open Space Plan should be modified and/or conditioned **to address the four desired natural resources protection criteria** detailed in our January 27, 2005 Summary Response. The four criteria are:

- Inclusion of all of Pequot Swamp in the publicly-owned open space.
- A 100-foot undisturbed buffer on the east side of Pequot Swamp.
- Inclusion of unfragmented upland/wetland habitat on the west side of Pequot Swamp in the publicly-owned open space.
- Protection of the exceptionally high quality vernal pool #18 and intact wooded uplands between this pool and the large Red Maple Swamp to the west.

To address the **four natural resources protection criteria** we recommend the following:

1. **Eliminate or reconfigure the proposed golf course.** In particular, holes 10 and 18 on the east side of Pequot Swamp; holes 11, 12, 13, 15, 16 and 17 on the west side of Pequot Swamp; and hole 7 on the west side of vernal pool #18.

2. **Reconfigure the publicly-owned open space to include:**
 - a. all of Pequot Swamp (as determined by the applicant’s wetland delineation).
 - b. a 100-foot undisturbed buffer on the entire eastern boundary of Pequot Swamp.
 - c. a substantial amount of unfragmented woods on the west side of Pequot Swamp.
 - d. the uplands to the west of vernal pool #18 connecting this high quality, productive amphibian breeding pool to the large Red Maple Swamp identified by the applicant as wetland #18.

In addition, to enhance the level of natural resources protection across the subject property we recommend the following:

3. **No development, clearing or grading within 100 feet of vernal pools**, except for vernal pool 2 which is recognized as a marginal, low quality pool.
4. **No clearing in, over, or directly adjacent to vernal pools** to construct the proposed golf course, of particular concern are the golf course holes near vernal pools 3, 9, 12, 21, and 27.
5. **Relocation of the golf course maintenance building** to an area that is not directly upgradient of a vernal pool.
6. **Preservation of vernal pools #19 and #23** to the level provided by the applicant for “Conserved” vernal pools, i.e., 75% Critical Terrestrial Habitat (CTH) undisturbed;
 - a. decrease the CTH disturbed for vernal pool #19 from 54.5% to 25%.
 - b. decrease the CTH disturbed for vernal pool #23 from 39.3% to 25%.
7. **Preservation of 75% of the Critical Terrestrial Habitat of vernal pools #26 and #27** until such time that additional information is provided on the quality of these pools so to determine the appropriate level of conservation.

Q5. Is the open space subdivision as proposed by the applicant (i.e. the golf course, road pattern, etc.) "reasonably likely to unreasonably impair, pollute, or destroy the public trust in the air, water, or other natural resources of the State" a compared to the conventional subdivision?

Yes. For example, development of the golf course as proposed in the Preliminary Open Space Plan is reasonably likely to unreasonably impair, pollute, or destroy the large and unique resource known as Pequot Swamp. The Conceptual Standard Plan preserves a 100-foot undisturbed buffer on the east side of Pequot Swamp. In addition, the Conceptual Standard Plan as proposed provides a substantial amount of unfragmented (undisturbed) woodland to the west of Pequot Swamp and to the south of wetland #18 which is a large Red Maple Swamp (see applicant’s Presentation Exhibits for January 12, 2005 Public Hearing bound document, in particular two sheets: *Preliminary Open Space Subdivision – Disturbance Plan* and *Conceptual Standard Plan – Disturbance Plan*). Due to the proximity and extent of disturbance near on-site wetlands including Pequot Swamp, and the steep nature of proposed development areas on site, it is our opinion that the Preliminary Open Space Plan is likely to cause both short term impacts (i.e., erosion and sedimentation during construction) and long-term impacts (i.e., loss of intact upland/wetland habitat).

Q6. Are there feasible and prudent alternatives that would reduce or eliminate any unreasonable adverse impacts that are found to exist?

Yes, see discussion associated with Q4 above.