



TOWN OF OLD SAYBROOK

Inland Wetlands & Watercourses Commission

PLANNING
COMMISSION
EXHIBIT

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REPORT

Via Hand Delivery

To: Robert J. McIntyre, Chairman, Planning Commission
From: Paul H. Smith, Chairman
Date: November 22, 2010
Subject: **“The Preserve” Modification to Approved Special Exception for Preliminary Open Space Subdivision (925.82 ac. total) & Open Space (556.83 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: Attorney David M. Royston

This report is submitted in response to the Planning Commission’s (PC) request for report and referral of plans submitted to your Commission as part of an application to modify “The Preserve” approved special exception for preliminary open space subdivision.

The Inland Wetlands and Watercourses Commission (IWWC) met on November 18, 2010 to listen to the Applicant’s consultants present an overview of the proposed modifications, as shown on plans dated 10/7/10, sheets RS-1 through RS-6, and as described in the revised “*Statement of Use – October 8, 2010 Modification of Approved Preliminary Open Space Subdivision Plan.*” The proposed modifications include three separate sites described as:

- “Ingham Hill Road” detailed on drawing RS-3 titled *Preliminary Open Space Plan (Modification)*,
- “Planned Residential Development” (PRD West) detailed on drawing RS-4 titled *Preliminary Open Space Plan (Modification)*, and
- “Bokum Road” detailed on drawings RS-5 titled *Conceptual Standard Plan Lots #1 - #10* and RS-6 titled *Preliminary Open Space Plan (Modification)*.

The discussion included the possible positive and negative impacts to existing wetlands or watercourses and adjacent 100’ upland review areas as detailed in the proposed modification plans. Comments submitted to the PC on October 29, 2004 as a result of the IWWC’s previous review of the original Special Exception application are still valid (attached). It is important to note that the IWWC’s current review is general in nature and related to just the

three modification areas. Detailed plans, reports, analyses and evaluations were neither provided to nor reviewed by the IWWC.

The IWWC will perform further review and evaluation during the more detailed Site Plan permitting for this development subsequent to the subject request for modification to the special exception for open space subdivision. In general, it is our position that wetlands, watercourses and adjacent regulated areas be avoided completely. This means keep roads, buildings, improvements and other activities out of these sensitive areas. Should the PC approve the proposed modifications, subsequent IWWC permit applications will be required for all regulated activities impacting inland wetlands or occurring within the 100' upland review areas.

Comments concerning each of the proposed modification sites follow:

PRD West, 11 Units, Preliminary Open Space Subdivision (Modification) – drawing RS-3

- There are no wetlands or 100' upland review areas that will be directly affected by the proposed access road or proposed building locations in the PRD; however, there is a large wetland to the south of the access road and east of the southern open space parcel that could be impacted from construction activities and post development site runoff. Future plans should be developed so as to mitigate any impact on this wetland.
- There was discussion of individual septic systems vs. a community system at this site. The IWWC suggests that the applicant thoroughly research alternative waste water disposal options and document how and why the recommended system was selected.

Ingham Hill Road, 13 lots, Preliminary Open Space Subdivision (Modification) – drawing RS-4

- The proposed subdivision does a reasonable job of avoiding wetlands and 100' upland review areas.
- Portions of lots 1, 2, 3, 8, 11 and 12 are within the 100' upland review area. IWWC permit applications will be required for future development of these lots.

Bokum Road, Conceptual Standard Plan Lots #1 - #10 – drawing RS-5

- Alternative road alignments should be required by the PC in an effort to reduce potential impacts on vernal pool #37 and to reduce the area of the road within the 100' upland review area. Realigning the road will change proposed lot geometries which could reduce the number of lots that could be developed on the property. It should be noted that portions of lots 1, 2, 3, 8, 11 and 12 are within 100' upland review areas.

Bokum Road, 9 lots, Preliminary Open Space Plan (Modification) – drawing RS-6

- The only significant change between the conceptual and open space plans is the removal of lot #5 from the conceptual plan. The access road alignment is unchanged.
- The proposed cul-de-sac is immediately adjacent to vernal pool #37.

- Approximately 400' of the proposed cul-de-sac is within the 100' upland review area around vernal pool #37.
- Based on the review of the Conceptual Standard Plan Lots #1 - #10, the IWWC questioned whether even 9 lots could be developed on the property.
- Significant portions of lots 1, 2, 3, 8 and 9 are within the 100' upland review area.
- Alternative road alignments should be required by the PC in an effort to reduce potential impacts on vernal pool #37 and to reduce the area of the road within the 100' upland review area. Realigning the road will change proposed lot geometries which could reduce the number of lots that could be developed on the property.

Thank you for giving the IWWC the opportunity to report to the Planning Commission on this important application that is before you. Please contact us if you have any questions concerning the issues discussed in this report.

Copy to: Christine Nelson, Town Planner

END OF MEMORANDUM