

TOWN OF WESTBROOK

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December 13, 2010

Old Saybrook Planning Commission
Town Hall
Old Saybrook, CT 06475

PLANNING
COMMISSION
EXHIBIT #39

Re: The Preserve

Dear Friends,

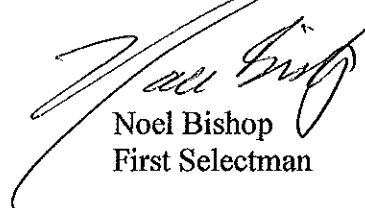
The undersigned is in receipt of your notice concerning the above-referenced application. The purpose of this letter is to respond on behalf of the Board of Selectmen. This letter is not a response from any land use commission of the Town and should not be construed as such.

1. To the best of my knowledge, no application is currently pending before any land use commission in regard to this development and the proposed improvements located in Westbrook.
2. I would refer you to the letter dated December 7, 2004 from the Board of Selectmen, Town of Westbrook and signed by then-First Selectman Tony A. Palermo. I have attached a copy of the letter for your reference. Many if not all of the concerns expressed in our previous letter remain.
3. I would reiterate that any request to the Town of Westbrook to accept the proposed road as a town road would require that the road (a) be completed to town road specifications, (b) reviewed by the Westbrook Planning Commission pursuant to CGS Section 8-24, (c) approved by the town's engineer, (d) approved by the Board of Selectmen, and then (e) approved by a Town Meeting.

Please note that the Town cannot accept a road *prior to its construction*, and no preliminary approval or action of the Board of Selectmen or any land use agency can bind a Town Meeting to accept a road.

Please do not hesitate to contact me with any questions you may have.

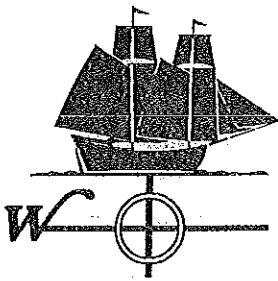
Very truly yours,



Noel Bishop
First Selectman

Enclosure

CC: Jim Crawford, Selectman
John Hall, Selectman
Michael Wells, Town Counsel
Marilyn Ozols, Planning Commission Chairman
Anthony Marino, Zoning Commission Chairman
Meg Parulis, Town Planner
Nancy Rudek, Zoning Official
Michael Pace, Old Saybrook First Selectman
Phil Miller, Essex First Selectman
Atty. David Royston



TOWN OF WESTBROOK

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Board of Selectmen:
Tony A. Palermo, First Selectman
Barbara J. Reeve
Sally J. Greaves

Old Saybrook Planning Commission
Old Saybrook Town Hall
302 Main Street
Old Saybrook, CT 06475

December 7, 2004

RE: The Preserve

Dear Friends:

We write on behalf of the Town of Westbrook to express the collective opposition of the Selectmen to the proposed Preserve project, at the very least in its presently proposed configuration. This letter should not be considered a response of any individual agency of the town, such as our planning and zoning agencies who have not contributed to this letter.

As Selectmen we have received public comment with respect to the Preserve and as members of our community we are also aware of the public's concerns for activities in our town or in adjacent towns that will have an impact on the Town of Westbrook. It is fair to say that the comment that we have received from the citizenry to date distills down to uniform opposition to the project.

As representatives of the community we also have specific and significant concerns about the impact of the Preserve project on our community and the region. We see the project as a significant burden on the Town of Westbrook with no concomitant benefit of any kind. Indeed, we see the Town of Westbrook bearing almost the entire burden of this project particularly as it relates to traffic.

We realize that the proposal, as presently called for, provides an access point which will intersect with Bokum Road and therefore provide access into the Town of Essex, as well as an access point into the Town of Old Saybrook, on Ingham Hill Road. However, as a practical matter, the entrance in Westbrook on Route 153 would be the "Main" entrance. The project will result in significant traffic increases. Those wishing ready access to either Route 9 or Route 95 or services of any kind will almost certainly use the Route 153

access point into the Town of Westbrook, both for the residential day-to-day travel, and significantly, for use of the golf course or attendance at any events or tournaments that may be conducted there. This will be the only rational access for construction vehicles as well. This traffic increase will undoubtedly result in congestion, and a substantially increased risk of accidents, all of which will be a burden with which only Westbrook will have to contend.

We also note that the same consideration will apply to response to emergencies at the project site. It is reasonable to expect that the Town of Westbrook will be called upon to be the "first responder" because of the proximity to the easiest access for heavy equipment such as fire trucks, as well as ambulances and police coverage. These issues would require an inter-municipal agreement between the Towns and the appropriate compensation to the Town of Westbrook under the statute because it is forced to undertake these responsibilities.

The Town of Westbrook also has significant concerns about water quality and associated environmental issues. The idea of having a large golf course facility with the attendant fertilizers and chemicals placed in the drainage of the Trout Brook, which runs south to the Patchogue River, is of significant concern to our Town as I am sure it is in yours. Also the idea of significant waste treatment taking place within the watershed raises equally serious concerns. As you may know, our public water supply is located generally to the south and west of the Preserve and within the watershed. These are the Holbrook and Westbrook wells, which serve a significant portion of our community.

Our concerns are further enhanced by the open question of what is to happen on the so-called Pianta parcel. Further development of that portion of the site will only increase the burdens on our Town, our region and the local environment.

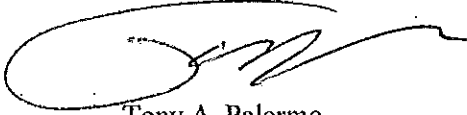
We understand that it has been suggested in various of your public forums and perhaps in some documentation that the developer of this project has reached agreements, tentative or otherwise, with the Town of Westbrook on a number of issues having to do with traffic access, access to the facilities of the golf course, open space trail system, and so forth. Please be advised that there are no such agreements between the Town of Westbrook and the developer. As I am sure you are aware, any such arrangement would likely have to have the approval of a town meeting. Given public sentiment, it would be foolhardy for anyone to base a development project on the likelihood of approval of any aspect of this project if that approval will rely upon the actions of the town meeting.

We would particularly note that access on to Route 153, if the Town of Westbrook is to own the parcel, as is apparently proposed in one iteration of this plan, it would certainly require town meeting approval. We obviously cannot assess the results of such a meeting, but given the utter lack of benefit to the Town of Westbrook, one can imagine that such an approval might not be forthcoming. You need to weigh this as you consider what to approve and what is possible ultimately.

We have also heard comments, as we are sure you have, to the effect that this is a marginal piece of property for development and would perhaps best serve our region as open space giving ultimate protection to the watershed and local water resources.

As you see we have several concerns about the Preserve Proposal. Thank you for your serious consideration of this letter and the project.

Sincerely,



Tony A. Palermo
First Selectman

Cc Barbara Reeve, Selectman
Sally Greaves, Selectman
John Bennet, Town Counsel
Marilyn Ozols, Planning Commission Chair
Jay Northrup, Town Planner
Anthony Beccia, Zoning Enforcement Official
Michael Pace, Old Saybrook First Selectman
Christine Nelson, Old Saybrook Town Planner