

1 sort of the list of what you're directed to look at,
2 it will strike you that it really is sort of a
3 large-scale analysis that is being considered. Your
4 open space subdivision regulations urge you to
5 consider, require you to consider the extent to which
6 any proposal preserves and protects floodplains,
7 wetlands and steep slopes from clearing, grading,
8 filling or construction; preserves and maintains
9 mature rhythms (phonetically), maintains or creates
10 upland buffer vegetation adjacent to watercourses,
11 minimizes impacts on large woodlands, and provides
12 open space that is reasonably contiguous. These are
13 not considerations that are necessarily applicable to
14 a lot as you consider this.

15 So really, as I read this, it seems quite clear
16 that the goal of those regulations was to maintain
17 large tracts of ecologically protected property
18 within the Town of Old Saybrook. And it certainly is
19 important to consider this as a whole, as an integral
20 ecological parcel. That's part of the importance of
21 preserving large tracts of open space. You can't cut
22 it up like Swiss cheese.

23 And I would note that CFE, the first time before
24 this commission, actually proposed to you
25 contemplating considering moving the development away

1 from that central core towards the outer boundaries
2 of the property; something that the applicant sort of
3 conceptually has done here in a way. The difference
4 between what we were proposing to you back in 2005
5 and what the applicant has proposed here, however, is
6 that this proposal has not considered that exterior
7 edge development as an alternative to the development
8 of the core, as I think the applicant has conceded.
9 It's really as an addition to what had been proposed
10 back in 2005.

11 And we know that what was proposed back in 2005
12 will have significant adverse impacts to the very
13 natural resources that your open space subdivision
14 regulations require you to protect. It's not
15 speculative at this point; it's not theoretical at
16 this point. A detailed analysis has been done by the
17 Wetlands Commission and sustained through two levels
18 of appeals. So that is certainly properly, I think,
19 before your commission this time around, and I think
20 to not consider that really is to miss a significant
21 opportunity to comply not only with the letter but --
22 of your regulations, but also the spirit of those
23 regulations.

24 I'm certainly aware of the preliminary
25 conversations regarding a potential conservation

1 option for that central core that Mr. Levine alluded
2 to. I personally have not been involved in either of
3 the negotiations myself, but I am aware that they are
4 going on; however, I feel it would be negligent to
5 rely on something that is really uncertain without
6 addressing the reality of the plan before you.

7 We heard that the intention is simply to develop
8 these highlighted sections; the new modifications.
9 But there's also been a quite explicit admission that
10 development of this central core with the plan that
11 you see before you, which has not been modified,
12 remains a very viable option.

13 CHAIRMAN MCINTYRE: Which plan are you referring
14 to right there?

15 MR. ROTHENBERGER: It is that map RS1.

16 CHAIRMAN MCINTYRE: Thank you.

17 MR. ROTHENBERGER: And the pieces I referred to
18 are shaded green in this copy. So I think
19 consideration of the impacts that the Wetlands
20 Commission found are properly before you.

21 My recollection is had you had that level of
22 detailed information before you the first time
23 around, you would have considered it. So I think
24 it's perfectly appropriate to do so.

25 Now in terms of evaluating the appropriateness

1 and the compliance of this plan with your own
2 regulations, and I think with that I will conclude.
3 As I mentioned we will have some detailed analysis
4 about the newer portions of the proposal, but I think
5 that consideration of the property as a whole is
6 properly before the commission. And it is not only
7 appropriate, but probably necessary in order for you
8 to fulfill your function under the open space
9 subdivision regulations. Thank you.

10 CHAIRMAN MCINTYRE: At this time I am going to
11 open up the public comment portion of the public
12 hearing. I would like to call on Bob Fish, and he
13 has a presentation from the Conservation Commission.

14 MR. FISH: This is going to be quite brief. We
15 have submitted a letter to the Planning Commission
16 when they asked us to review the modifications. What
17 I am going to do, just to make this as quick as
18 possible, is read you just the first paragraph from
19 our letter, which is a nice summary of what the
20 Conservation Commission has been looking at for this
21 property for a long, long time.

22 As far back as 1994 in the conservation planning
23 of the Old Saybrook Conservation Commission, it was
24 recommended that a Greenway Loop be established in
25 the northwestern part of town. This Greenway Loop

1 has remained in Old Saybrook's plan of conservation
2 and development ever since and has been an important
3 goal of the town. The 1999 purchase by the town of
4 what we now call Great Cedars Conservation area,
5 coupled with the existing Town Park land forms the
6 southern half of this Greenway Loop. A great deal of
7 effort by our staff ensured that the deferralment
8 plan for The Preserve contained an area of over
9 500 acres of open space arranged so that it formed
10 the northern half of the Greenway Loop. The Old
11 Saybrook Conservation Commission therefore urges you,
12 as you look at modifications, to maintain the idea of
13 this greenway of connected open space in any plan for
14 The Preserve.

15 And I just want to show you what we put together
16 here, this particular chart. This thing that looks
17 like a doughnut here, an irregular doughnut, is the
18 original 1994 plan for the northwestern part of the
19 town. This over here is the town parkland. These
20 areas here is Great Cedars west and east. And you
21 can see that the northern part of the original
22 greenway goes right through the plan for The
23 Preserve.

24 CHAIRMAN MCINTYRE: Bob, can you state for the
25 record what the name of that -- what that map is

1 called.

2 MR. FISH: It's a brand new map that we just put
3 together today. I'm not sure we have numbered it or
4 anything. It's called the existing and proposed open
5 space for the northwestern part of town. And so
6 that's all I want to say today.

7 I just want you to understand that this whole
8 thing has been considered over the last ten years
9 with respect to your plan of development, and you
10 should keep that plan and development in mind.

11 CHAIRMAN MCINTYRE: Can we keep that map for the
12 record now that you've presented it? We need a copy
13 of that.

14 MR. FISH: Would you like to have it?

15 CHAIRMAN MCINTYRE: We need to have it.

16 MR. FISH: Okay.

17 CHAIRMAN MCINTYRE: We can't leave here without
18 it.

19 MR. FISH: Here's the original conservation plan
20 and the letter, a copy of the letter.

21 CHAIRMAN MCINTYRE: Thank you.

22 Is there anyone else from the public wishing to
23 speak at this time?

24 MR. REDACK: Danny Redack, Old Saybrook.

25 Mr. Levine, what are you asking for The

1 Preserve?

2 MR. BRANSE: All questions are directed to the
3 chair.

4 CHAIRMAN MCINTYRE: You need to direct any
5 questions to me. And at this point in time the
6 applicant -- I probably won't be asking any questions
7 of the applicant.

8 MR. REDACK: Well, do you know what they are
9 asking for The Preserve?

10 CHAIRMAN MCINTYRE: We only know what the
11 applicant has stated during this public hearing.

12 MR. REDACK: And what is that?

13 CHAIRMAN MCINTYRE: What we all just heard.

14 MR. REDACK: So you don't know a monetary
15 figure.

16 CHAIRMAN MCINTYRE: Well, they only said the
17 \$22,000 -- million dollars, excuse me.

18 MR. REDACK: And what does Mr. Blumenthal say to
19 that?

20 CHAIRMAN MCINTYRE: I have no idea.

21 MR. REDACK: That would be interesting to find
22 out.

23 Mr. Levine, we should buy this land. That's all
24 I have to say.

25 CHAIRMAN MCINTYRE: Thank you for your comments.

1 Anyone else wishing to speak? Barb.

2 MS. MAYNARD: My remarks will be brief, because
3 it's getting late.

4 Thank you very much for entertaining the
5 comments tonight. I just want to be sure --

6 CHAIRMAN MCINTYRE: Barbara, please identify
7 yourself.

8 MS. MAYNARD: Barbara Maynard, Ingham Hill Road.
9 Ingham Hill Road for 52 years.

10 I just want you to be sure that when you're
11 reviewing this plan you take into consideration the
12 dangerous situation that does exist now and has for
13 the past maybe ten years on Ingham Hill. From the
14 Mill Pond up it's very narrow; it's quite curvy; and
15 it's hilly. And there are many, many, many houses up
16 there now. There are several side streets off of
17 Ingham Hill Road, as you all know. Probably many of
18 you live up there.

19 Last year we had three situations which I
20 consider quite serious and all happened within two or
21 three months. We had an old tree that broke apart.
22 The first time it brought wires down across the road,
23 which was just this side of Barley Hill. This
24 happened about five o'clock at night in the winter.
25 Nobody could get up Ingham Hill Road; nobody who was

1 up Ingham Hill Road could come down. The wires were
2 snapping all over the road. Obviously the police
3 were there immediately. We had one officer at the
4 southern end, another officer had to walk around the
5 dangerous area and go to the northern end to keep
6 that road from being used. It was probably three
7 hours before CL&P could get there. In the meantime
8 we had frantic parents coming to our house and the
9 other houses near us. They had to park along Ingham
10 Hill Road, which was already narrow, calling their
11 kids because they had run downtown to get something.
12 The kids were home; something was in the oven. And
13 how are they going to get home. Well, a lot of the
14 neighbors who knew the area did bring them through
15 the backyards, up the Barley Hill, down Barley Hill.
16 So they passed the dangerous spot and they walked
17 home and had to come down later on and get their
18 cars.

19 Now, this is the longest dead end road in Old
20 Saybrook. When 52 years ago we built up there, our
21 parents were absolutely horrified to think we were
22 going out in the wilderness. Well, now it's far from
23 a wilderness, because there's about 300 people that
24 live off of Ingham Hill Road; the northern part of
25 Ingham Hill Road. So it's a scenic road, as you all

1 know. You accepted it as a scenic road, oh, probably
2 a good ten years ago anyway.

3 And we desperately need a bike path. We have
4 kids on bikes all the time and that can ride to
5 school, but it's not wide enough for a bike path.
6 And there's very often wetlands on both sides of it,
7 which makes it almost impossible to widen.

8 It's just been striped and that does slow
9 traffic down a little bit. But it's a 25 miles an
10 hour road, and we are lucky if people go 40 to be
11 very honest. People are in a hurry and to get back
12 again. I think that it's a major problem with any
13 kind of development up there. It's gradually
14 happened and it's dangerous now, but it could become
15 more dangerous. And I just found out that the access
16 to the ballfield is going to be off Ingham Hill Road.
17 Not only the access to the houses up there which will
18 be on the cul-de-sac, but the access to the
19 ballfield. Now it's almost impossible for two school
20 buses to pass each other on Ingham Hill Road. They
21 really have to be very careful, slow down and watch
22 where they are going.

23 So I don't know what the answer is, but I just
24 want you people to be very much aware that this is a
25 dangerous traffic situation. The trees have been

1 trimmed, but that doesn't mean another limb isn't
2 going to come down when there's a snowstorm or
3 there's another heavy wind. And the wires are very
4 close to the road. And it's something that I don't
5 know that there's an answer to on. We can't slow
6 cars down any more than 25 miles an hour, but it's
7 certainly something that bears some consideration on
8 your part. So thank you very much.

9 CHAIRMAN MCINTYRE: Thank you, Barbara.

10 MR. BRANSE: Mr. Chairman, for the record, Mark
11 Branse.

12 Miss Maynard, you said there were three
13 instances in a two- or three-month period during
14 which this sort of thing -- you described a branch
15 being down. Were there two other situations of that
16 kind?

17 MS. MAYNARD: There was another situation where
18 the same tree lost another branch in just about the
19 same place. Then there was a -- I'm trying to think
20 now. The other one I believe was a car that went off
21 the road and took some wires down. There have been
22 just so many. And some of them I am not aware of,
23 they were above us, unless the traffic backs up all
24 the way down the road.

25 But there's wildlife galore. I even put a deer

1 crossing sign right by my driveway, because we have a
2 parade of deer probably three, four times a week.
3 Just yesterday morning there were eight that come
4 right out of the driveway, don't look either way and
5 cross the street. Usually it's about time for the
6 school bus in the afternoon. So you just kind of
7 stand there and hold your breath. But the school bus
8 drivers are very astute.

9 But it's -- I can't really give you the time and
10 date of all the instances, but one was the same tree,
11 two different limbs taking down the same wires.

12 MR. BRANSE: And did each of those situations --
13 did the road have to be closed?

14 MS. MAYNARD: Oh, yeah, yeah. They won't let
15 anybody cross. The chief is here. He can tell you
16 that they don't let anybody cross roads when there's
17 wires down. And his officers responded beautifully.
18 In fact, the last time the poor guy's out there in
19 the wet and cold, and we took him coffee. It's not
20 fun. It's really a serious situation.

21 MR. BRANSE: Thank you.

22 CHAIRMAN MCINTYRE: Thank you, Barbara.

23 Does anyone else from the public wish to speak?

24 Yes, sir.

25 MR. PETERSON: My name is Jim Peterson. I live

1 at 182 Ingham Hill Road. I also live fairly close to
2 Barbara Maynard.

3 I hadn't intended to speak tonight, but I just
4 wanted to sort of extrapolate a little bit on
5 Barbara's comments, because we live in roughly the
6 same neighborhood. And I can attest to everything
7 she just said as far as trees falling down and no
8 traffic being able to go in either the dead end side
9 into the town or the town side into the dead end
10 side. She's certainly correct as far as there being
11 a traffic situation. And as she noted that the speed
12 limit is 25 miles an hour through there. Some people
13 go a little bit faster than that, some people not.

14 But the fact about the two school buses not
15 being able to go through at the same time is a
16 testation to the windiness of the road, the size of
17 the road itself, and sometimes the conditions of the
18 trees on either side of which they do trim probably
19 about once or maybe twice a year. But it still has
20 to be done on a regular basis, otherwise you have
21 things growing on the side of the road which causes a
22 hazard to ice storms and snow storms and things like
23 that where branches are likely to fall down into the
24 road and cause the situation she talked about.

25 The other situation I thought about while she

1 was speaking was the fact that -- and I don't
2 specifically know how The Preserve would address this
3 or how the planning would be set up for that, but the
4 road itself is dangerous from a bicycle standpoint.
5 I know there was a big push in town to get more
6 people out on the bicycles and set up bicycle paths,
7 but I live about three-quarters of a mile from
8 fireman's field and as much as I would like to ride
9 down there on my bike with my kids as I did as a
10 youth, I'm afraid it's not possible because even I
11 feel a little bit nervous on the winding roads on a
12 bicycle. And I certainly wouldn't let any kids under
13 15 years old go by themselves to do that.

14 So I think in terms of looking at this from a
15 planning perspective, I think it's important to keep
16 in mind not only the community aspects of it but also
17 the safety aspects as far as if there are any details
18 in The Preserve plan to -- if they are going to use
19 Ingham Hill Road as a major thoroughfare, you know,
20 what are the other aspects we have to look at as far
21 as bike travel. Is bike travel safe? You know,
22 personally I would have to put all the bikes in the
23 back of the car and drive down to the center of town
24 where there are sidewalks, Old Boston Post Road or
25 Main Street, going up and down there and down by the

1 Park and Rec Center.

2 But also people that are walking, you know, I
3 don't think it would be advisable to be walking on
4 Ingham Hill Road as it is now and perhaps even some
5 of the other roads, Barley Hill Road, that are spoken
6 of in the plan. But that's another thing to keep in
7 mind with the increased traffic that may result from
8 any further development, bike traffic and walking
9 traffic and maybe even joggers. I've seen a number
10 of joggers out there. They always have to be
11 cautious as to who's coming this way and that way.
12 If two cars are coming the same way, you have to give
13 quite a bit of way to any traffic coming in either
14 direction. So just another thing for the commission
15 to keep in mind as they think about the planning
16 aspects of The Preserve proposal. Thank you.

17 CHAIRMAN MCINTYRE: Give him the mic. There's a
18 gentleman back there.

19 MR. MORIN: My name is Matthew, 169 Bokum Road.

20 CHAIRMAN MCINTYRE: Your last name?

21 MR. MORIN: Morin. My question is similar. I
22 live on Bokum Road. It's also a windy road. It's
23 very narrow, and I've found that a lot of big trucks
24 and traffic on this road wouldn't be very good for
25 the -- it's the nine lot division that's proposed for

1 this right here. If the trucks are coming --

2 CHAIRMAN MCINTYRE: Bob, which map is that?

3 MR. DOANE: RS5.

4 MR. MORIN: RS5.

5 CHAIRMAN MCINTYRE: RS5.

6 MR. MORIN: If the trucks are coming down Bokum
7 Road --

8 CHAIRMAN MCINTYRE: When people hear -- we are
9 recording this. So if you're pointing to someplace
10 on the map, try to be specific which way you're
11 pointing. If somebody hears it later on, they know
12 what you're taking about.

13 MR. MORIN: Depending on which direction,
14 either -- if trucks are coming from the Essex end of
15 Bokum Road down towards Old Saybrook or if they are
16 going towards Essex coming from this development
17 here, there's going to be a lot of logging trucks and
18 waste -- not waste removal but rock removal trucks if
19 this goes through. And what will happen is these big
20 trucks sometimes take up half the road.

21 And one time on a similar occasion, to pass
22 descriptions on Ingham Hill Road, I have been coming
23 down the road and there's a big truck and it takes up
24 half of my lane, the right traveling lane, and I find
25 that I have to slow down, go to the side. And with

1 this increased traffic of trucks, I'm afraid that
2 some people would get into a major car accident.
3 There's power lines in the Essex lane that are right
4 on the corners. And if one of these big trucks
5 carrying logs or rocks is coming around that
6 corner -- and this has happened to me one time. I've
7 gotten off into the curb and had a flat tire because
8 I hit the side or somebody might hit one of these
9 telephone poles. And that's one of the concerns that
10 I have.

11 Also, one of these lots here --

12 CHAIRMAN MCINTYRE: Which lot are you pointing
13 at there?

14 MR. MORIN: Between lot nine -- C9 and C8. This
15 bump of the vernal pool. I'm not too sure of this
16 map, but from what I've seen of -- because I live
17 right in front of where the proposed --

18 CHAIRMAN MCINTYRE: Entrance.

19 MR. MORIN: Yes. I've seen that some of these
20 lots here bump up right against to the edge. And I
21 don't know. I'm not an expert or anything, but some
22 drainage issues and stuff like that. Because all
23 these houses here I know are wells, have well water.
24 I'm not sure what's quite proposed here of the water
25 drainage and everything and sewage, but some of these

1 wells, I know when it rains this all fills up pretty
2 deep. And wherever these wells are going to go, I'm
3 afraid that's going to seep into the water that goes
4 into all these wells up and down Bokum Road. And
5 that's just one of my concerns.

6 CHAIRMAN MCINTYRE: Thank you.

7 MR. MORIN: That's all.

8 CHAIRMAN MCINTYRE: Anyone else who wants to
9 speak? Yes, ma'am, way back in the corner.

10 MS. GESICK: I don't need the microhone.

11 MR. BRANSE: You do need the microphone.

12 MS. GESICK: Hi. Wendy Gesick, 13 Barley Hill
13 Road. I'm new to all of this.

14 Quick question. Is there anywhere, on line or
15 town hall or something, that I can get all the maps
16 to be able to look at myself and study on my time
17 rather than trying to do it all here?

18 CHAIRMAN MCINTYRE: We'll hand you the
19 microphone. It can help you out.

20 MS. NELSON: For the record, Christine Nelson,
21 town planner.

22 The application's on file in the land use
23 department. You're welcome to come in and look at it
24 anytime you like.

25 MS. GESICK: It's the land use?

1 MS. NELSON: Yes, second floor.

2 CHAIRMAN MCINTYRE: Anyone else wishing to
3 speak?

4 MS. MCMAHON: Hi, I'm Diana McMahon. I live at
5 19 Barley Hill Road.

6 Everyone has heard from me ad nauseam, so I'll
7 make this very brief.

8 I can't imagine construction traffic going up
9 and down Ingham Hill Road. I concur with everything
10 that's been said. It's a treacherous road and -- but
11 I think in a more global sense this has been a bad
12 idea from day one. And I think that what we as
13 residents have had to contend with is just this
14 obfuscation of this huge amount of information. And
15 I think what we have here right now -- I don't mean
16 to say anything to depreciate Mr. Royston, but I
17 don't think we are really able to see the forest for
18 the trees here. This is just a community that can't
19 sustain a project of this size, and I think that
20 everyone goes back to their respective offices.

21 I know that B & H was here, and they did a lot
22 of work and they talked a lot about the environment.
23 And if you were to listen to River Sound and Mr.
24 Royston, you would think that their only purpose for
25 coming to Old Saybrook was that some sort of

1 altruistic they are going to make our lives better.
2 And in fact, this is a financial situation, and
3 they are the ones that are going to reap the
4 rewards.

5 And when I walk up and down Ingham Hill, I see
6 all these white pipes. They are -- like they were
7 used I think at some point in the percolation test,
8 and they are laying in the woods. Nobody bothered to
9 pick them up. And I'm just wondering maybe they are
10 going to put some red ribbon around those and stick
11 them in the ground for Christmas. So that's all the
12 comments I have.

13 CHAIRMAN MCINTYRE: Thank you, ma'am.

14 Anyone else wishing to speak? Yes, sir.

15 MR. MCSORLEY: I'm Charles McSorley. I live at
16 9 Fox Hill Road.

17 And just to take on a little bit more of what
18 the previous speaker addressed, one thing that Mr.
19 Royston stated early on and actually should have no
20 bearing on the decisions about the development is
21 that this is the sole asset of a bankrupt company. A
22 bad investment is not something that we need to fix.
23 It's something that the investor and the owner need
24 to work on, but it should not impact -- excuse me.
25 I'm losing my voice here. It should not impact your

1 decisions. That's all I have.

2 CHAIRMAN MCINTYRE: Thank you. Anyone else
3 wishing to speak?

4 MR. SPERA: Good evening, Mr. Chairman and
5 members of the commission, Michael Spera.

6 I work for the police department here in town,
7 and we just want to make sure that we enter
8 officially into the record that we have provided a
9 comment to all of the distinguished members of the
10 Planning Commission regarding The Preserve, a full
11 disclosure.

12 I have -- I am an abutting property owner,
13 however, all of the recommendations that are in my
14 letter to you were brought forth to the Police
15 Commission which, as you know, is the town's legal
16 traffic authority. They voted unanimously to send
17 the letter to you. So the letter has ten specific
18 points ranging from public safety infrastructure
19 concerns, dealing with our municipal and public
20 safety, communications system, everything, the house
21 numbering, echoing some of the comments that we heard
22 tonight from the residents about roadway safety,
23 roadway leading up to these pockets and intersections
24 both on Ingham Hill Road and Bokum Road. However, at
25 the end of our recommendations are the ten distinct

1 things. We do ask that the Planning Commission not
2 end their public hearing until the developer
3 addresses some of these concerns which -- including
4 meeting with the Police Commission. And I am happy
5 to hear that Attorney Royston has agreed to that, so
6 we'll go ahead and set that up as soon as possible.

7 But there are several traffic safety and public
8 safety issues that must be addressed before we can
9 finalize our opinion to the Planning Commission.

10 CHAIRMAN MCINTYRE: Thank you. Anyone else
11 wishes to speak? Come on down, get the mic.

12 MS. MCCUIN: My name is Sue Ellen McCuin, 24
13 Ingham Hill Road in Essex.

14 And I -- for tonight I just had a question, and
15 I am assuming the answer would be yes. Will the
16 developer be submitting all the traffic details as
17 far as how many trips will be made per household; how
18 many car trips are estimated to be ballpark so
19 residents actually have a good understanding how many
20 new car trips are going to be going up and down not
21 only Ingham Hill but also Bokum Road?

22 CHAIRMAN MCINTYRE: I can't speak for the
23 applicant, but I know in the past they had -- in the
24 last application they did have traffic studies.

25 MS. MCCUIN: Would I be able to ask them?

1 CHAIRMAN MCINTYRE: I'm assuming they are going
2 to submit --

3 MR. ROYSTON: If you would like me to comment on
4 that. David Royston.

5 At this level you have a report from the traffic
6 engineer which we will address. I don't think the
7 traffic engineer's report indicates that there is a
8 need for a traffic study. The regulations do not
9 require that there be a traffic study at this level.
10 There could be one required by the Planning
11 Commission in a final subdivision application. If it
12 felt there was a need for one under the subdivision
13 regulations, they can require it. They can ask the
14 applicant to provide one if they feel it is
15 necessary. The level of traffic increase under the
16 modified plan in each of the separate areas we did
17 not consider warranted or needed a formal traffic
18 study. If requested we would provide that.

19 MS. MCCUIN: May I just recall back in maybe
20 1999 when -- whoever Tim Taylor was before in Essex.
21 I don't remember the numbers. Maybe somebody from
22 the audience would have better numbers than I. I
23 know back then -- I know we are little by little
24 deciding to become more and more car dependent. More
25 and more cars in the driveways. But I think the

1 number was somewhere around 11 to 15 car trips per
2 day per household. So those numbers I just think are
3 helpful.

4 Same with if there's going to be ballfields. I
5 think that's a prudent thing for neighbors to be able
6 to have a really good idea, really, what the
7 traffic's going to be. Even if it's not required, I
8 think it would be a good idea. That was it.

9 MR. BRANSE: Mr. Chairman, for the record Mark
10 Branse.

11 I think I want to clarify this last exchange.
12 At the time of subdivision application under the
13 subdivision regulations, this commission will -- case
14 law is clear this commission will not be able to deny
15 an application based on overall traffic volume. All
16 right. That is a discretion you have only under the
17 zoning power by delegation from the Zoning Commission
18 under this section 56.

19 So traffic was evaluated in the original special
20 exception application. It was evaluated on the
21 assumption that there would be interconnecting roads.
22 Mr. Hillson, your traffic engineer, did perform a
23 very thorough investigation and report at that time.

24 I guess what the ambiguities in the -- of this
25 application -- I am sure the applicant will be

1 addressing at the public hearing and certainly help
2 me asking about it is this question of Phase I versus
3 Phase II interconnection versus noninterconnection.
4 And that was raised in Mr. Hillson's report to you
5 that you would have received this evening. The
6 question is worded very clearly. So I would caution
7 the commission against assuming that you can address
8 traffic at a subdivision stage, because you can't.
9 It will have to be addressed here in terms of traffic
10 volume.

11 In terms of road configuration and intersection
12 site lines and those sorts of details, yes, of course
13 that would be suitable for subdivision level. But in
14 terms of traffic flow, the current special exception
15 presumes that these roads would interconnect and that
16 the traffic would flow in a certain way if they don't
17 interconnect. I'm not saying they won't, but if they
18 don't that will be a different traffic flow.

19 And the person that just spoke was asking you,
20 for example, the ballfield. Well, how much traffic
21 will come from that via Ingham Hill Road. Under the
22 special exceptions now approved, some of that traffic
23 will be coming from other -- from Route 153 or from
24 Bokum Road, because there were three interconnected
25 access points.

1 So I think the questions being raised by that
2 speaker is not one that you can wait for until
3 subdivision.

4 MS. MCCUIN: I have one more question.

5 CHAIRMAN MCINTYRE: Sure.

6 MS. MCCUIN: So I'm just wondering would that
7 mean -- and this is actually probably to Attorney
8 Branse. Would this have to go back before zoning,
9 seeing it kind of sounds like there's information
10 there that's for approval? I'm confused. I'll
11 admit.

12 Do you understand my question?

13 MS. BRANSE: When I referred to the zoning
14 power, I probably -- that's how I confused you. In
15 this case the Planning Commission is acting under the
16 zoning regulations is acting by delegation. So
17 granting or denying any special exception under
18 section 56, it is actually exercising a zoning power.
19 So it's not back to the Zoning Commission. It's
20 still this commission. It's that right now they are
21 wearing their hat as an exercise zoning power. When
22 a subdivision application comes in, they will switch
23 hats and will be reviewing it under the subdivision
24 power, which is a lower level discretion and a lower
25 level authority. Does that help?

1 MS. MCCUIN: Um-hum.

2 CHAIRMAN MCINTYRE: Thank you. Is there anyone
3 else wishing to speak? Yes, sir. You need to come
4 down and get the mic.

5 MR. FORTIER: Larry Fortier, 98 Ingham Hill
6 Road, Essex.

7 Just to clarify that last statement by the
8 attorney, if this board -- part of their viewpoint
9 would be to look at how Ingham Hill in Old Saybrook
10 is configured in terms of how you would spot cars
11 coming and going, especially if people are walking
12 and riding a bike.

13 I think that comment by Sue Ellen can be viewed
14 in a different way. Perhaps you don't need to have a
15 count on all the cars coming and going. I think you
16 know that there will be an increased volume of cars,
17 therefore, I think you should look at if you're
18 walking Ingham Hill Road in Old Saybrook or riding a
19 bike or whatever, what point on that road would you
20 have blind spots. And I think that it might behoove
21 you to have your commission, if this is such a
22 dangerous road, walk up there yourselves and take a
23 look at it. And then I think you can get an idea if
24 the road can handle increased volume.

25 So perhaps your commission isn't required to

1 have an accurate count of the amount of cars coming
2 and going, but I do think that from what's been said
3 it's your mission to look at points beyond the road
4 and sight lines. If those can't be improved with
5 cars going down the road, that's something that you
6 have to consider in terms of denying the request.

7 CHAIRMAN MCINTYRE: Thank you for your comments.

8 Anyone else wishing to speak? Somebody else
9 that hasn't spoken.

10 MS. KEANEY: I was going to refer to his
11 comment.

12 CHAIRMAN MCINTYRE: Trying to --

13 MS. KEANEY: Sara Keaney, 16 Bayside Road.

14 Tonight I am representing Old Saybrook Land
15 Trust. Our mission is to preserve and protect Old
16 Saybrook. We had a meeting, decided we wanted to
17 write a letter to the Planning Commission. We
18 haven't had time to do that yet. We would like to be
19 thoughtful about that and listen to the
20 presentations. Tonight was helpful. So before the
21 next meeting we would like to have a letter to read
22 into the record. Thank you.

23 CHAIRMAN MCINTYRE: Anyone else wishing to
24 speak? Sir, you want to comment?

25 MR. HENDERSON: Yes. Again, Jim Henderson, 182

1 Ingham Hill Road.

2 I just want to quickly address the comments of
3 the gentleman from Ingham Hill Road in Essex who
4 spoke two speakers previous.

5 With regards to actually going out and driving
6 or walking Ingham Hill Road, I highly recommend that
7 to anyone on the Planning Commission.

8 And as far as the sight lines he spoke to, I
9 would specifically point out perhaps the areas in the
10 intersection of Old Ingham Hill Road and Elm Street,
11 where I guess Ingham Hill Road upper proper starts
12 the curve there by the pond. The other curves in
13 question will probably be the one in the vicinity of
14 Goose Pond Lane, another curve in the vicinity of 176
15 Ingham Hill Road. And the curve that Barbara had
16 referred to, Barb Maynard had referred to in the area
17 of the intersection of Barley Hill Road and Ingham
18 Hill Road and, finally, the area at the intersection
19 of Fox Hill is it, John?

20 JOHN: Yeah. There's no curve. It's the next
21 one over, Pheasant Hill Road and Ingham Hill Road.
22 So if any of the potential conflicts of the sight
23 lines, those would be good areas to look at. Thank
24 you.

25 CHAIRMAN MCINTYRE: Chris, you want to speak.

1 MR. CRYDER: I just have a few clarifying
2 questions really.

3 CHAIRMAN MCINTYRE: State your name for the
4 record.

5 MR. CRYDER: Chris Cryder, Old Saybrook.

6 It sounds as if there are a lot of consultant
7 reports that were just recently received perhaps and
8 it also sounds from Mr. Royston and Mr. Klein, it
9 sounds like there's going to be modifications to the
10 maps we have already seen. I'm only in possession of
11 these maps here. So I guess my question is when most
12 likely will we be able to get copies of all the
13 reports that you have?

14 Would it be reasonable to expect that we will
15 receive them by your next meeting in December?
16 That's one question.

17 A question particularly related to Mr. Klein's
18 comments about having done a biological assessment
19 and a wetlands assessment and vernal pool
20 productivity assessment earlier this spring.
21 Hopefully that report we can see. But my question is
22 has that spring assessment that was done in 2010 been
23 combined with the earlier assessments - I think it
24 was 2005, 2003 - to find an average productivity of
25 each of the vernal pools?

1 And more importantly, after the changes that
2 will be made based on Mr. Klein's comments, will
3 there be an estimate of the productivity loss based
4 on the new development plans that was done before?

5 And I think that was very valuable information
6 for this commission as well as the Wetlands
7 Commission, because the productivity loss then will
8 allow you to know to what extent the wetlands will
9 become impaired. As we've learned when there is loss
10 of biological productivity, there's an impairment of
11 the actual water chemistry.

12 A couple other questions. I'm hoping that in
13 these three pods that the developer plans to use
14 various low-impact development techniques. Some of
15 these proposed using before in the original
16 application such as rain gardens, bioswales, storm
17 water separators, et cetera, in an attempt to have a
18 situation where post development there will be
19 essentially the same hydrology on the site as
20 predevelopment.

21 I'm very concerned about tree canopy. As you
22 may know, on developments just south of the Bokum
23 Road Pianta parcel, I'm going to forget what the
24 address is, but a development was proposed and all
25 the trees were completely eradicated on the ridge

1 line that is next to the railroad tracks. And
2 because of the downturn in the economy, most of those
3 lots were never developed. You should go up and see
4 that. It is really disastrous. So I am hoping that
5 through your deliberations that -- and I hope the
6 developer plans on maintaining substantial tree
7 canopy on each of these three pods.

8 Just a few notes on the Ingham Hill component.
9 If you have been up there, there are a number of
10 significantly old oak what are called wolf trees.
11 They were -- they're most likely upwards of 200 years
12 old. And you can see that their limbs are displayed
13 very far out, when they used to have sunlight; when
14 it was probably a pasture in the Ingham family days.
15 So I am hoping that the significant large trees, wolf
16 trees, these are oaks in particular and there are --
17 some beach are preserved. I wish I did have access
18 to the staff reports and the consultant reports.
19 Maybe some of this is addressed. But throughout the
20 whole entire preserve property there's probably,
21 based on my estimation, over 30 miles of historic
22 stone walls that most likely date back to the early
23 1800s or late 1700s when the Ingham Hill family,
24 extended family, had farms as well as they cut trees
25 for timber.

1 I am hoping -- and it looks by this current map
2 for development that many of those stone walls would
3 be potentially eliminated. I am hoping that as many
4 of the historic stone walls are preserved and to the
5 extent that there has to be some degradation of stone
6 walls removal, that they be rebuilt elsewhere on the
7 site. And it's also important how they are rebuilt.
8 You may be aware of Robert Thorson's book *Stone by*
9 *Stone* in which he categorizes all the different types
10 of stone walls in Connecticut. He categorizes them
11 into several different categories, but you would want
12 to rebuild them in the same manner as they were built
13 originally.

14 Beyond doing a biological assessment or
15 assessment of just the wetlands, I am hoping that an
16 updated biological assessment of the other critters
17 on these three pods are done, mammals, birds, and
18 plants, especially those that were originally
19 identified in the DEP's report. Those that are of
20 special concern, threatened or endangered.

21 There have been reports, I'll just mention, of
22 an amateur birder. Actually is not really amateur.
23 He's close to being very professional. That there
24 has been sightings of a sharp-shinned hawk
25 perennially in the northern woodlands, especially in

1 the northern woodland areas of The Preserve hopefully
2 in the spring. That kind of analysis could be seen
3 if indeed a hawk is nesting.

4 I am very concerned, and this was raised in the
5 comments by the Wetlands Committee, about blasting,
6 blasting impacts on the road construction for these
7 three pods and what any blasting, if it's expected to
8 be done, will have impact on the wetlands and on the
9 groundwater. Groundwater is very important in this
10 aquifer protection area that we have.

11 A question. I'm assuming that the town will
12 also perhaps hire individuals similar to Mr. Narsky
13 and good friend who then reviewed the developer's
14 reports. I think that makes good sense to do it
15 again.

16 I have a question whether there's been an
17 archaeological assessment of the Pianta parcel. I
18 don't think so. But I would think an archaeological
19 assessment would have to be done there as it was done
20 on the entire preserve.

21 I do have questions about the original
22 archaeological survey. That was not done extremely
23 well. To my knowledge it does not identify, in
24 addition to the stone walls, the historical stone
25 piles or cairns that dot the premises and should also

1 be given consideration for conservation.

2 Finally, I do agree that they should schedule a
3 site walk of each of the three pods between now and
4 your meeting in December or between now and your
5 January 5th meeting. And just to note, Sue Ellen
6 mentioned that, and there was some testimony, that an
7 average family has 11 car trips per day. Well, if
8 you take the 221 units times 11, that's 2,431 trips
9 per day generated by this overall plan.

10 If it is built as it is shown, and I do agree,
11 as many of the comments here, that our road system
12 cannot sustain this type of traffic, especially
13 Ingham Hill Road which is designated as a scenic road
14 and cannot really be altered. Thanks.

15 CHAIRMAN MCINTYRE: Thank you. Chris, to
16 address your question on the -- you know, what
17 reports, like I said, we are not going to have this
18 next meeting about this preserve until the 15th --
19 the 5th of January. And by then whatever reports
20 come, you know, Christine will get them to us. And
21 if any -- if there's anything that is available to
22 the public, it will come through the Land Use Office.

23 I think you mentioned about stone walls. That's
24 one of the things that is addressed in our
25 subdivision regulations that we will be reviewing,

1 and it gives specific details on many of the things
2 which you talked about.

3 Is anyone else wishing to speak from the public?

4 MR. REDACK: This is no place for something like
5 this with our human situation and animals.

6 CHAIRMAN MCINTYRE: Thank you. Is anyone else
7 wishing to speak?

8 Not seeing anyone wishing to speak, at this
9 point I am going to close the public comment portion.

10 Go ahead. Attorney Royston indicated he would
11 like to say something.

12 MR. ROYSTON: I'm sorry. I didn't know whether
13 you were going to close this session of the public
14 hearing.

15 CHAIRMAN MCINTYRE: Not yet. Just the public
16 portion of the public hearing.

17 MR. ROYSTON: Thank you.

18 CHAIRMAN MCINTYRE: Okay. At this time I am
19 closing the public comment portion of the public
20 hearing. Normally -- a lot of times we get to this
21 point, this is when the commission gets to ask
22 questions. Why don't you give me the mic. This is
23 normally when the commission would ask the applicant
24 many questions that we have, you know. What we've
25 listened to and what we have reviewed of the record,

1 however, based that we had such a short presentation
2 and there's a lot more to get on January 15th (sic),
3 I think because of the lateness of the hour, unless I
4 think the commission members really have some burning
5 desire that they have certain questions that need to
6 be asked, because a lot of our questions will be
7 addressed once the applicant gets to look at the
8 plans and come back; some things that we have
9 concern. Some things that might be a concern tonight
10 may not be a concern on January 5th.

11 MR. ARESKO: I have one quick question.

12 CHAIRMAN MCINTYRE: Sure. If anybody does have
13 any questions, feel free to ask them. But, you know,
14 just keep it, you know, something that you're sure
15 won't be answered by the applicant next time.

16 Use the mic.

17 MR. ARESKO: Thanks. Sal Aresco, Commission
18 Member.

19 I have a question for Michael Levine. I was
20 really surprised to hear the --

21 MR. BRANSE: Michael Klein.

22 MR. ARESKO: Michael Klein. I was pleasantly
23 surprised to hear your finding of the box turtle from
24 the standpoint of this is a species of concern and
25 becoming more and more rare in Connecticut. And my

1 question was this. Concerning the box turtle and the
2 fact that it is a species of concern, would it be
3 possible to indicate on the maps, maybe it's on there
4 and I haven't seen it, but what the habitat range of
5 the box turtle is in that area. Not just areas
6 that -- not what we review for the 100-foot buffer
7 for vernal pools, but what the range of that box
8 turtle would be. I would be interested to see. And
9 it would be important to me to know, you know, how
10 far out from where you may have located them as to
11 what their actual range is that they live in. Could
12 you do that?

13 I have more questions, but before the meeting on
14 the 6th (sic), that would be important for me.

15 MR. KLEIN: We can't do any more box turtle
16 survey work this time of year, but the -- I will
17 provide you with the information about where we have
18 observed the box turtles.

19 MR. ARESCO: And what would be presumed to be if
20 they are here, what the range -- what their range is.
21 I know you can track them. If you can get them, you
22 can track them electronically and so forth. And
23 that's done.

24 MR. KLEIN: Yes. It can't be done until
25 probably May next year. And it's extremely labor

1 intensive. But the -- I'll just make one general
2 comment and then we'll provide that information. The
3 home range of individual box turtles is relatively
4 small. And if you do mark and recapture studies, you
5 almost always find the same turtles in the same very
6 small area. They don't -- they are turtles. They
7 don't move around that much. But we'll provide you
8 with some more data.

9 MR. ARESCO: Just to get a sense. Thank you,
10 Mike. I appreciate that.

11 MR. KLEIN: No problem.

12 CHAIRMAN MCINTYRE: Any other questions?

13 MS. ESTY: Just one. There was mention of the
14 site walk, that we should take a site walk. I think
15 that would be a good idea. I bring that up because
16 winter's coming. It's getting colder. I'm not sure
17 when the appropriate time would be.

18 CHAIRMAN MCINTYRE: Are you suggesting a site
19 walk?

20 MS. ESTY: I'm suggesting a site walk.

21 CHAIRMAN MCINTYRE: There was one. The
22 public -- Jim Henderson had mentioned the walking
23 Ingham Hill. You're talking about the pods.

24 MS. ESTY: I'm talking about the pods and Ingham
25 Hill wouldn't be a bad idea as well.

1 CHAIRMAN MCINTYRE: Yes.

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

3 As far as Ingham Hill Road is concerned, a
4 commission is allowed to use its knowledge of local
5 roads, local communities. So you don't need to take
6 a commission site walk to view a public road. Any
7 one of you can drive up there. Many of you have
8 probably driven up there many, many times and know
9 exactly what it looks like.

10 As far as viewing of the property, however, yes,
11 that would be a site walk. I realize there are new
12 commission members since 2005 who may not have walked
13 it as others have. That would -- if you were to do
14 that, you need to set the time, date, and meeting
15 place tonight, continue your hearing to that and then
16 on to January 5th.

17 CHAIRMAN MCINTYRE: Thank you, Attorney Branse.

18 How many members would be interested? And
19 normally the best way to do this is we do it as a
20 group. We would have to pick a certain day and see
21 if -- yes.

22 MS. NELSON: Christine Nelson. The Parks and
23 Recreation Commission has a site walk scheduled with
24 the applicant to be led by the applicant, and it's on
25 Sunday the 12th and around nine.

1 MS. ESTY: December.

2 MR. LEVINE: Nine or ten o'clock. They didn't
3 determine the time, but they did set the day of the
4 12th.

5 MS. NELSON: So that's the option for the
6 planning. If they wanted to join a site walk, that's
7 already scheduled. If it's convenient to you as an
8 option.

9 MR. ARESCO: December 12, nine a.m.

10 MR. LEVINE: We are starting on Ingham Hill and
11 the Park and Rec may -- excuse me. The Park and Rec
12 may look at Ingham Hill only. But if this commission
13 wants to go from Ingham Hill to the Westbrook access
14 and then over to the Pianta piece, we could do that.

15 CHAIRMAN MCINTYRE: You're talking about the
16 Ingham Hill pod.

17 MR. LEVINE: Yes, the pod.

18 MR. ARESCO: Where would you be meeting, there?

19 MR. LEVINE: Right at the turn, the sharp turn.
20 Right where we anticipate our road is going to be
21 going off.

22 CHAIRMAN MCINTYRE: Off Ingham Hill.

23 MR. LEVINE: Off Ingham Hill.

24 CHAIRMAN MCINTYRE: How many commission members
25 would be interested in doing that site walk? It's a

1 very good thing to do. I'm going to be going. Okay.

2 So everybody's good with the December 12 date?
3 Okay. So we will be joining that site walk then, and
4 we would like to see the three pods. Yes.

5 MR. ROYSTON: Mr. Chairman, there was a site
6 walk one time previously, as you may recall, on the
7 property. And I believe it was conducted as a --
8 actually, as a special meeting of the commission at
9 that point.

10 CHAIRMAN MCINTYRE: Correct.

11 MR. ROYSTON: And I would respectfully suggest
12 that the commission can make its determination as --
13 after consultation with counsel as to how it wishes
14 to conduct that. As far as the applicant is
15 concerned, we are happy to abide by whatever decision
16 the commission makes as to whether it is a special
17 meeting conducted as such with limitations on
18 comment. This is how it occurred the last time.

19 I don't remember, Mark, whether you were
20 involved in that one.

21 MR. BRANSE: I had somebody from my office
22 there.

23 CHAIRMAN MCINTYRE: I believe he was.

24 MR. ROYSTON: I think Eric Knapp may have been
25 the attendee, but I would suggest that it might be

1 best to do it under the same conditions so that no
2 one has any objection to their having been excluded.
3 The public that wanted to come out did come out. It
4 was a cold day as I recall, also.

5 CHAIRMAN MCINTYRE: It's an official meeting
6 once we set this date.

7 MR. ROYSTON: So I would suggest if you wish to
8 do that, we would cooperate in the scheduling and
9 adhering to whatever rules the commission established
10 for the conduct of its meeting.

11 CHAIRMAN MCINTYRE: Thank you, Attorney Royston.
12 Okay. It was Sunday, December 12, correct?

13 MR. SULLIVAN: Nine a.m.

14 CHAIRMAN MCINTYRE: Nine a.m. at the entrance of
15 Ingham Hill -- entrance off Ingham Hill Road.

16 So when we get ready to close, we'll -- when we
17 do get to that point, we will adjourn that meeting to
18 that meeting. And as Attorney Branse said, once we
19 adjourn that meeting, we will be going to the one on
20 January 5th. Yes.

21 MR. LEVINE: Again, the time needs to be
22 verified, because I don't know if the Park and Rec
23 set it at nine o'clock or ten o'clock.

24 CHAIRMAN MCINTYRE: So it's either nine or ten.
25 It will be officially posted through Christine

1 Nelson, so that everyone and the public is welcome to
2 come on these walks, also.

3 When we go on these walks, what happens is we
4 can't converse with anyone from the public about
5 anything about the site. And we really don't
6 converse between ourselves about the site. The only
7 thing that occurs while we are on these walks is that
8 we ask for, you know, where is this located, getting
9 associated with where we are at, what's this, what's
10 that type questions; just for reference type of
11 questions.

12 MR. BRANSE: Mr. Chairman, you're exactly
13 correct, what you just said. But also we do --
14 because we won't have time to advertise by December
15 12, we'll need to pick a time and Parks and Rec will
16 have to fall in step with us. I don't know if you
17 want to say 9:30 and -- but we have to announce a
18 time tonight.

19 MR. DOANE: Ten o'clock.

20 CHAIRMAN MCINTYRE: Ten o'clock. But we can't
21 say nine or ten, because we won't have time to
22 advertise it. Thank you. So we are going to --
23 well, when we get to that point, we'll make it ten
24 o'clock then. Okay.

25 Does anyone else have anything to say tonight

1 before I close the public hearing or continue the
2 public hearing?

3 MR. BRANSE: Mr. Chairman, just a couple of
4 questions that I don't need answers to, but I want
5 the applicant to have them before we adjourn.

6 CHAIRMAN MCINTYRE: Sure. Here you go.

7 MR. BRANSE: Just I would ask sometime between
8 now and the continued public hearing that Mr. Royston
9 confirm with Mr. Goderre that before he wrote that --
10 when he wrote his letter that was submitted into the
11 record tonight, whether he had seen my review or not.
12 As of that time he doesn't reference it. And I
13 identified a number of things that I thought were
14 discrepancies, and I just want to make sure that
15 Mr. Goderre knew about those items. I would ask
16 Mr. Goderre to clarify. In his letter he said, and I
17 quote, that the plans have incorporated most of the
18 conditions except, and then he names two. That's
19 not -- that's inconsistent. It's either all of them
20 except two or most of them isn't just two. So I
21 would just ask him to clarify that.

22 MR. ROYSTON: I can clarify both those
23 questions, and I'll do that now very quickly.

24 Mr. Goderre did not review any of the reports.
25 What he did review was the motion for approval of the

1 original special exception, which is attached to your
2 materials. He reviewed the plans that have
3 previously been prepared by BL Companies and he
4 reviewed Bob Doane's plan. When he made a statement
5 of most of the conditions, the most means those
6 conditions which relate to things to be put on a map.
7 Some of the things are conditions which do not relate
8 it to the map, and that is the only reference. We
9 can -- and I will have him clarify the specific items
10 that you reference in your report.

11 MR. BRANSE: Thank you. And again, I don't need
12 an answer to this one tonight, but, for Mr. Doane,
13 you said you were looking at three of the parcels,
14 each of which is a stand-alone parcel that meets all
15 the proposals of your regulations. These aren't
16 exact quotes, but they are really close. And I guess
17 my question is what about section 56.6.8 which says
18 that if a conservation subdivision is developed in
19 phases, that all open space shall be conveyed in the
20 first phase. That seems inconsistent. It seems that
21 they are not stand alone, that they wouldn't meet the
22 open space regulations. Because the special
23 exception, as it now stands, designates open space
24 areas of the entire parcel. So I don't see how they
25 can stand alone.

1 MR. ROYSTON: I'm surprised you addressed that
2 question to Mr. Doane. That's a question, you know,
3 that needs to be addressed by me and will be --

4 MR. BRANSE: No, I don't.

5 MR. ROYSTON: Thank you, Mark.

6 MR. BRANSE: Okay. This is for Mr. Doane, but
7 if not let me know. Are there leaching fields within
8 the conservation areas in the westerly portion of the
9 site?

10 MR. DOANE: We have not designed the leaching
11 fields, and it is not anticipated that they are going
12 to be in the conservation area.

13 MR. BRANSE: Thank you. I have more questions,
14 but they can wait until next time.

15 I have a question for Mr. Rothenberger. You
16 have indicated to the commission that this commission
17 should consider the environmental wetlands issues
18 that prompted the denial of this application by the
19 Wetlands Commission. We have a report from the
20 Inland Wetlands Commission, Exhibit 24, that has been
21 submitted by the Wetlands Commission. Does that
22 report correctly summarize what those issues are that
23 this commission should be considering?

24 MR. ROTHENBERGER: For the record, Charles
25 Rothenberger with the Connecticut Fund for the

1 Environment.

2 I have not had an opportunity to review that
3 letter. I believe it's the one that was generated at
4 the meeting that was held several days ago,
5 preliminary review of this. On the basis of that I
6 suspect it does not. I will be submitting -- I
7 haven't read it. I wasn't expecting to get into
8 those issues, because that was not what they were
9 asked to consider. At that time I will be submitting
10 into the record details of the environmental impacts
11 that were found during the proper Inland Wetlands
12 hearing during the subdivision application, wetlands
13 application that was led up to the denial, if that
14 made any sense.

15 MR. BRANSE: It does. I guess I would ask you
16 to consider between now and the next hearing, if we
17 have a report from the Wetlands Commission that
18 states what they feel the Planning Commission should
19 be considering in regard to wetlands, how does an
20 intervenor supplement Wetlands Commission issues that
21 they elected not to tell us about. I mean I would
22 expect that if the commission is going to look to
23 proceedings of the Wetlands Commission, issues of the
24 Wetlands Commission, they would look to the report
25 they got from the Wetlands Commission and not to a

1 report from an interested party.

2 MR. ROTHENBERGER: I believe the letter that
3 you're referencing really is focusing only on those
4 so-called no developments that were presented by the
5 applicant. So that's if -- as I am assuming the
6 letter from the Inland Wetlands Commission restricted
7 its comments to those areas, that is why. Because
8 that's what was presented by the applicant for its
9 consideration at that time, and we did not have an
10 opportunity to present our perspective on what should
11 properly be before the Wetlands Commission during
12 that hearing.

13 MR. BRANSE: Thank you. Mr. Chairman.

14 CHAIRMAN MCINTYRE: Okay. Before we close I
15 just want to clarify with the applicant what the best
16 plan of attack is going to be to visit all three of
17 these locations. Obviously when you go to Ingham
18 Hill Road, you park there and then it's a long walk
19 over to the Westbrook side and it's a long walk
20 over -- really long walk to the Bokum side. So we
21 will anticipate that we'll be getting back in our
22 cars and driving to each one of these locations.
23 That's going to be -- and also, anybody from the
24 public that has never been out there that wishes to
25 come, make sure you wear good shoes. And it gets

1 pretty rugged out there and muddy.

2 Does anyone else on the board have any comments?
3 Okay. Seeing none what I would like to do at this
4 time is to close -- continue -- we will have a motion
5 to move the public hearing to our next -- we are
6 going to schedule a special meeting site walk on the
7 three nodes or pods, that being the Westbrook, Bokum
8 Road, and Ingham Hill Road parcels on Sunday,
9 December 12th, at ten a.m. And we will be meeting on
10 the entrance to Ingham Hill Road.

11 MR. ARESCO: So moved.

12 CHAIRMAN MCINTYRE: I got a second?

13 MS. ESTY: Second.

14 MR. BRANSE: Special meeting. And then on --

15 CHAIRMAN MCINTYRE: And then there will be a
16 following meeting that was scheduled for January
17 5th.

18 MR. BRANSE: At 7:30.

19 CHAIRMAN MCINTYRE: Seven thirty at this
20 location, at the middle school.

21 MR. ARESCO: So moved.

22 CHAIRMAN MCINTYRE: We have a motion on the
23 floor.

24 MR. ARESCO: So moved.

25 CHAIRMAN MCINTYRE: Any discussion? Hearing

1 none all in favor.

2 (Unanimous vote.)

3 CHAIRMAN MCINTYRE: Public hearing is closed or
4 continued until December 12th.

5 (Whereupon, the meeting was adjourned at
6 10:54 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 pages 1-100 are a true and accurate transcription of my steno notes taken at "The Preserve" Meeting held by the Old Saybrook Planning Commission on the 1st day of December, 2010, at the Old Saybrook Middle School Auditorium, 60 Sheffield Street, Old Saybrook, Connecticut, in the matter filed In Re: "The Preserve" Special Exception for Open Space Subdivision.

Certified this 19th day of July, 2011.


Debrah Veroni, RPR, LSR #393