

Flanders/Exit 74/Planned Development District

The Flanders Exit 74/75 business district is still in the growth stage and will see some major new growth in the near future. Located at the approximate center of the Town, it is an attractive location for businesses that require easy access to routes I-95 and I-395. One major problem for this area is vehicular access, traffic and related problems of pedestrian safety.

Rebuilding Exit 74 and rezoning the area to a planned commercial development area north of I-95 (see Figure 6-1) would help address the traffic problem. The new traffic flow design would take advantage of prime commercial property and improve traffic conditions in the Flanders area. The extension of East Society Road to the Exit 74 development area would also make a convenient connection to the Dean Road area and to Flanders. This area is well suited for hotel/conference center development to support adjacent high tech industry and the proximity to the growing casino and tourism business and bio-medical expansion in New London provides a distinct advantage for development. This area would also be a great location for other commercial or industrial development such a "Technology Incubator" for new tech companies.

Recommendations

1. Evaluate what land-use strategy is best for the 100 acres of vacant land north of Interstate-95 at Exit 74 from recommendations in Appendix A. Then work cooperatively with the Zoning, Planning, Water and Sewer and Economic Development Commissions to develop guidelines and regulations for development of the properties (see Figure 6-1).
2. Improve access by negotiating with the state for improvements to the Exit 74 southbound exit and entrance ramp. Construction of a frontage road from Route 161 to East Society Road should be a priority whether funded by the state, the town or a developer. This will improve traffic congestion in the Flanders area and take advantage of the re-direction to a new Flanders business district.

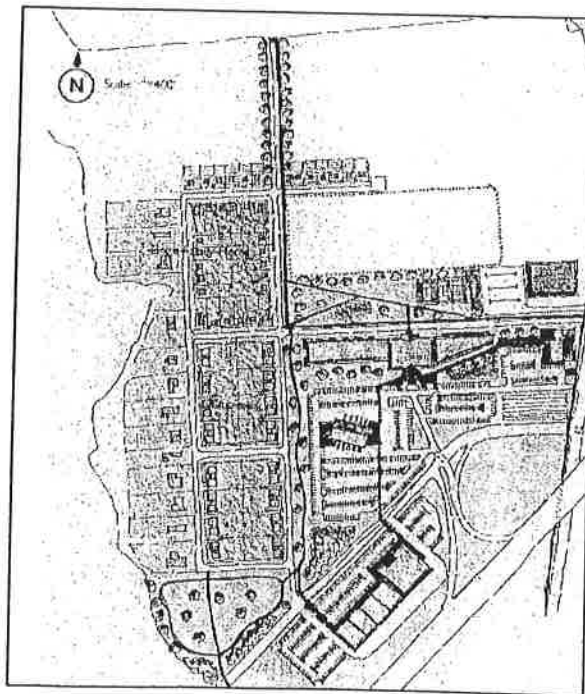


Figure 6-1 - Exit 74 Planned Development District (PPD) - Maximum development of the area in harmony with available resources is critical to advantageous use of the properties. Arrangement of complimentary uses is important to long-term sustainability and the economy of the existing Flanders Village. Interconnection between both villages with sidewalks and bikepaths along Pattagansett River area will produce interconnectivity between the villages, new businesses and the residential core.

Town ofP.O. Drawer 519Zoning Department**East Lyme**108 Pennsylvania AveNiantic, Connecticut 06357(860) 691-4114Fax (860) 691-0351

March 6, 2007

Town of East Lyme Planning Commission
Attn: Francine Schwartz, Chairperson
PO Box 519
Niantic CT 06357

RE: Referral/Text Amendment Proposal

Dear Ms. Schwartz,

I am writing to refer the following application for your review and comment in accordance with Section 8-3a(a),(b) of Chapter 124 of the Connecticut General Statutes.

Application of Theodore A Harris for Gateway Development/East Lyme LLC to amend the East Lyme Zoning Regulations to add proposed section 11.A.9. This proposal serves as an alternative to the existing Zoning regulatory guidelines in the Gateway Zoning District and would establish zoning requirements for development under a set of "Master Development Plan" regulations. The proposal provides the specific criteria for mixed-use development (retail & residential), building sizes, eligibility, submission requirements, approval criteria, implementation phasing and public improvements.

The Zoning Commission has scheduled a public hearing on the items for May 3, 2007. Please forward any comments for inclusion into the public hearing record.

If you have any questions please contact the Commission's staff.

Sincerely,

Rosanna Carabelas
Secretary, East Lyme Zoning Commission

RC/jl

Proposed Zoning Text Amendment
Gateway Planned Development District
Master Development Plan

11.A.9 Master Development Plan (MDP)

As an alternative to the traditional parcel by parcel development of the GPDD Gateway Planned Development District under the preceding provisions, the Commission may, subject to a Special Permit and public hearing pursuant to Section 25 of these Regulations, adopt a Master Development Plan (MDP) that modifies the zoning requirements of the District in accordance with the following standards.

11.A.9.1 Purpose

The purpose of the MDP process is to encourage the comprehensive planning and coordinated mixed-use development of multiple parcels within the District, promote creativity and superior design through flexible and context-sensitive development standards, support significant economic investment, reduce impacts associated with large-scale development, and provide protection to adjoining neighborhoods.

11.A.9.2 Effect

The adoption of an MDP shall modify the zoning requirements of the GPDD Gateway Planned Development District as specified by the MDP and except as provided in Section 11.A.9.2.1, shall allow for deviation from the typical requirements for use, bulk, and other development standards. Any provision of the East Lyme Zoning Regulations applicable to the property and not specifically superseded by adoption of the MDP shall continue in full force and effect.

11.A.9.2.1 Retail Use

To the extent that a MDP shall contain retail uses, such uses shall be subject to the following bulk limitations:

- (A) Not more than one (1) anchor store, containing no more than 140,000 square feet of net floor area, shall be allowed.
- (B) Not more than Five (5) junior anchor stores, typically ranging from 25,000 to 90,000 square feet shall be allowed, provided that no single store may exceed 90,000 square feet of net floor area, and not more than two (2) such stores may exceed 50,000 net floor area.
- (C) Notwithstanding Subsections (A) and (B) above, not less than twenty-five (25%) percent of all retail space in the MDP shall be contained in stores with less than 20,000 square feet of net floor area.

11.A.9.2.2 Residential Use

To the extent that a MDP shall contain residential uses, such uses shall be subject to the following:

- (1) Such uses shall only be allowed on the west side of the Pattagansett River.
- (2) Such uses shall be designed and located to minimize the impact on surrounding areas by incorporating one or more of the following:
 - (a) Buffers to adjoining residential uses.
 - (b) Locating the lower density uses in areas near existing residential uses.
 - (c) Providing open space and/or recreational areas.
 - (d) Providing architectural and/or lighting controls.
- (3) In no event shall the average residential density exceed three (3) units per gross acre of the portion of the MDP allocated to residential use.

11.A.9.3 Eligibility

A MDP application must include at least 75% of the land within the GPDD Gateway Planned Development District. A MDP must provide for reasonable access and utility interconnections to any portion of the District not included within a proposed MDP. The uses and bulk contained in the MDP shall not be considered with respect to site plans for portions of the Zone outside the MDP.

11.A.9.4 Submission Requirements

An application for MDP adoption shall require a Special Permit and in lieu of a site plan as described in Section 24, shall include the following components:

- (a) Existing Conditions Survey prepared by a licensed surveyor showing:
 - (1) Existing topography with contours showing the general gradient of the site, existing structures, existing roads and rights-of-way, easements, major topographic features, inland wetlands, watercourses and flood plains.
 - (2) Land uses, zoning and approximate location of buildings and driveways within 100 feet of the site.
 - (3) A-2 boundary survey.
 - (4) Location map.
- (b) Conceptualized Layout Plan prepared by a licensed engineer, architect and/or landscape architect showing:
 - (1) General location and nature of proposed land uses.
 - (2) Proposed public and private rights-of-way, parking areas, easements, and public and private open space areas.
 - (3) Proposed building footprints, floor areas, and building heights.
 - (4) Proposed location of landscaping, buffering, and screening.

- (5) Utility and highway improvements.
- (c) Development Standards for the proposed development provided in a narrative form including, but not limited to:
 - (1) Permitted uses subject to Site Plan approval.
 - (2) Bulk and dimensional requirements.
 - (3) Parking and loading.
 - (4) Streets and sidewalks.
 - (5) Landscaping and screening.
 - (6) Lighting.
 - (7) Signage.
 - (8) Open space and conservation areas.
 - (9) Any other standards the Commission may reasonably require.
- (d) Architectural Standards for the proposed development provided in both narrative form and visual representations prepared by a licensed architect showing:
 - (1) Architectural styles.
 - (2) Massing and scale.
 - (3) Materials and colors.
 - (4) Rooflines and profiles.
 - (5) Typical building facades and elevations.
- (e) Traffic Analysis prepared by a professional traffic engineer including:
 - (1) A comprehensive traffic study detailing the impact of the proposed development.
 - (2) Improvement plan and the measures necessary to mitigate those impacts.

11.A.9.5 Approval Criteria

The adoption of a MDP shall require a Special Permit and a public hearing pursuant to Section 25 of these Regulations. The Commission shall consider the following criteria in determining whether to adopt a proposed MDP:

- (1) Consistency with the Plan of Conservation and Development.
- (2) Consistency with the purpose of the GPDD Gateway Planned Development District.
- (3) Consistency with the purpose of the alternative MDP process.
- (4) Consistency with the general standards of provisions of Special Permit approval pursuant to Section 25 of the Regulations.

The Commission shall reserve the right and discretion to deny the adoption of any MDP that, in the opinion of the Commission, fails to meet one or more of the above-mentioned criteria.

11.A.9.6 Implementation

The implementation of the MDP shall be subject to Site Plan approval by the Commission pursuant to Section 24 of these Regulations. The Site Plan submission shall also contain the information required pursuant to Sections 11.A.8.1-11.A.8.4 and shall comply with the standards outlined in Section 11A.5 (Environmental Requirements). All applications for Site Plan approval under an adopted MDP shall conform to the modified Development and Architectural Standards of the MDP and substantially conform to the size and location of buildings and uses as shown on the Conceptualized Layout Plan. All applications for Site Plan approval shall illustrate the adherence the adopted MDP through plans, renderings, architectural elevations, and other materials. Any Site Plan Application that substantially conforms to an adopted MDP shall be approved by the Commission.

11.A.9.7 Phasing and Public Improvements

Implementation of an adopted MDP may be phased on the condition that all public infrastructure associated with each phase of the MDP shall be constructed prior to the issuance of Certificates of Occupancy for such phase or shall be bonded to the satisfaction of the Commission.

THIM, Associate Justice.

On February 24, 1966, the defendant town of Glastonbury applied to the defendant zoning board of appeals, hereinafter referred to as the board, for a special exception to locate a sanitary landfill operation on a portion of a fifty-five-acre tract of undeveloped land on which the town had an option to purchase. Section 3.0.2 of the Glastonbury building zone regulations permits a special exception for a sanitary landfill disposal area when the board determines that the public welfare will be served and the appropriate use of neighboring property will not be substantially or permanently injured. *108 ¹] A public hearing was held on **924 March 9, 1966, at which time the town officials encountered strenuous opposition to the sanitary landfill proposal from people who lived in the vicinity of the selected site. Following the hearing, the board denied the application on the ground that the properties immediately adjacent to the access road would be permanently and substantially injured.

The town submitted a second application on April 4, and a hearing was conducted on April 20. This second application was a modification of the first proposal, although it pertained to the same site. On May 3, the board concluded, in granting the special exception, that the sanitary landfill operation as modified by the second application would serve the public welfare and would not permanently or substantially injure the neighboring property. The plaintiffs, who are owners of property in proximity to the tract, appealed the decision to the Court of Common Pleas, which dismissed the appeal. From the judgment of the Court of Common Pleas, the plaintiffs have taken the present appeal.

The plaintiffs claim that the sanitary landfill operation will constitute a public nuisance. We are unable to agree with this contention. The record discloses that less than one-half of the more than fifty-acre site will be used for disposal purposes; the remainder of the tract will be open land and *109 buffer space. No disposal operations will be carried on within 850 feet of the New London Turnpike or within 150 feet of a brook which flows through the land. The sole access road is to be bordered with evergreens and fencing for its full distance. The operation is to be conducted in accordance with standards and requirements specified by the state health department and the water resources commission. No burning or scavenging will be permitted, and the landfill area shall be open from 8:30 a.m. to 4 p.m., Monday through Saturday. The town proposes to surround the disposal area with trees and plantings, which, in the opinion of the town manager, would effectively screen it from any of the neighboring residents. In addition, the zoning regulations require that all refuse deposited during each day be compacted and covered with six inches of clean fill. Glastonbury Ordinances s 1396 (1962). Upon complete utilization of a section, it is to be covered with at least twenty-four inches of clean fill and seeded to prevent water and wind erosion. Id. ss 1397, 1398.

1 2 We have recently held that a well-operated sanitary landfill disposal area does not constitute a public nuisance. Wood v. Town of Wilton, 156 Conn. 304, 310-312, 240 A.2d 904. The record in the case before us discloses that the town will expend considerable effort to mitigate many of the unsavory conditions which are normally associated with a refuse disposal area. Obviously, the compacting and covering of refuse is calculated to

SELECTED TOPICS

Zoning and Planning

Concurrent and Conflicting Regulations

Decision of County Zoning Board of Appeals

Variances or Exceptions

Town Board of Appeals Grant of Variance

Judicial Review or Relief

Grant of Special Exceptions

Secondary Sources

§ 6:28. Conflict with state law

1 Am. Law. Zoning § 6:28 (5th ed.)

...Municipalities possess only those powers which are delegated to them by statute, by constitution, or by a charter adopted pursuant to one of these. It follows that the statutory, constitutional, or cha.

Requirement That Zoning Board Consider Statutory Factors or Area Variance Applicant Entitled to New Determination

75 Am. Jur. Proof of Facts 3d 209 (Originally published in 2003)

...Municipalities enact master or comprehensive plans to serve as general guides that recommend area development and proposed future land use and zoning. Zoning decisions should be made in conformance wit.

§ 13.04. LOCAL ZONING RESTRICTING OIL AND GAS ACTIVITIES.

33 E. Min. L. Found § 13.04

...Courts in Ohio, West Virginia and New York recently decided cases concerning attempts by local governments to regulate oil and gas production activities through zoning. Although the facts in the Ohio a

See More Secondary Sources

Briefs

Amicus Curiae Brief of Connecticut Conference of Municipalities

2005 WL 6115646

SUSAN CAMPION, et al., Plaintiffs, v. BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN, et al., Defendants
Supreme Court of Connecticut
May 03, 2005

...FN1 Full discussion of the facts and the prior proceedings is set forth in the Brief and Appendix of the Defendant-Appellants. New Haven's PDD is a variant on the Supreme Court-approved floating zone

Amicus Curiae Brief of Connecticut Conference of Municipalities

2005 WL 4919516

Susan CAMPION, et al., Plaintiffs, v. BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN, et al., Defendants
Supreme Court of Connecticut
June 01, 2005

...Founded in 1965, the Connecticut Conference of Municipalities ("CCM") is Connecticut's association of cities and towns. It currently has 142 member municipalities, ranging in population from approximat

Brief of the Plaintiffs/Appellees Susan Campion, et al.

2005 WL 4919511

Susan CAMPION, et al., v. BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN, et al.
Supreme Court of Connecticut
June 13, 2005

reduce if not eliminate filth, odors, rodent infestation and air pollution. The sanitary landfill operation is a sensible solution to the pressing social problem of refuse disposal, and, when properly operated, it represents a vast improvement over the old-fashioned dump. The trial ***110** court did not err in upholding the board's decision that this sanitary landfill disposal area, which is to be operated in accordance with the Glastonbury ordinances and state standards, will not constitute a public nuisance. Furthermore, we reject the plaintiffs' claim that the conditions which circumscribe the operation of the sanitary landfill proposal are so vague that they cannot be enforced.

3 4 5 The gravamen of the plaintiffs' appeal is that the court erred in concluding that the board did not act illegally, arbitrarily and in the abuse of its discretion in granting the special exception. The basic question before this court is whether the board's action is reasonably supported by evidence in the record. *George LaCava & Sons, Inc. v. Town Plan & Zoning Commission*, 154 Conn. 309, 311, 225 A.2d 198. The burden is on the plaintiffs to prove that the board has not acted fairly, with proper motives and upon valid reasons. We should ****925** be cautious about disturbing the decisions of the local board where it appears that an honest judgment has been reasonably and fairly exercised after a full hearing. *Devaney v. Board of Zoning Appeals*, 143 Conn. 322, 325, 326, 122 A.2d 303.

6 It is unnecessary to summarize the testimony of the many witnesses who appeared before the board. It is sufficient to note that, although there was conflicting testimony about land values, water pollution, rodent infestation and related issues, the record discloses ample evidence to support the board's conclusion that the sanitary landfill operation would serve the general public and would not permanently or substantially injure neighboring property. The conclusions of the board are vindicated by the record and cannot be disturbed by us.

7 8 9 10 The plaintiffs further contest the court's judgment ***111** on the ground that the board's action involved a reversal of its prior decision in the absence of a substantial **change in circumstances**. We have often said that a **zoning board of appeals** acts in an administrative capacity. *Florentine v. Town of Darien*, 142 Conn. 415, 425, 115 A.2d 328; *Executive Television Corporation v. Zoning Board of Appeals*, 138 Conn. 452, 455, 85 A.2d 904. As a general rule, an administrative tribunal, such as a **zoning board of appeals**, is not permitted to reverse itself unless a **change of circumstances** intervenes which materially affects the merits of the case. *Sipperley v. Board of Appeals on Zoning*, 140 Conn. 164, 167, 98 A.2d 907. This requirement deters the exertion of improper influences and lends finality to the board's decisions. *Fiorilla v. Zoning Board of Appeals*, 144 Conn. 275, 279, 129 A.2d 619. Because of the nature of a special exception, the board can grant a second application which has been substantially **changed** in such a manner as to obviate the objections raised against the original application, as more fully explained in *Mitchell Land Co. v. Planning & Zoning Board of Appeals*, 140 Conn. 527, 534, 535, 102 A.2d 316. The board may grant the exception once it finds that all the requirements of the ordinance have been satisfied and that the applicant is willing to comply with any conditions which the board is empowered to impose. See *Abramson v. Zoning Board of Appeals*, 143 Conn. 211, 213, 120 A.2d 827.

11 In the instant case, the town originally proposed to locate the access road between two houses and within a fifty-foot radius of the property of the

Pursuant to Practice Book §67-5(g) the plaintiff-appellees Susan Campion, et al hereby state that there is no dispute that the version of the Zoning Ordinance of the City of New Haven that was filed

See More Briefs

Trial Court Documents

In re Upd Global Resources, Inc.

2011 WL 10795906
In re Upd Global Resources, Inc.,
United States Bankruptcy Court, S D Texas,
June 03, 2011

Chapter UPD GLOBAL RESOURCES, INC.
("UPD" or "Debtor") has filed a Fifth Amended
Combined Amended Plan of Reorganization
and Disclosure Statement of Reorganization
(the "OS/Plan") on the 29 day of Apr

Medical Laboratory Management
Consultants v. American Broadcasting
Cos, Inc.

1998 WL 35174273
Medical Laboratory Management Consultants
v. American Broadcasting Cos, Inc
United States District Court, D Arizona
December 23 1998

FN1 A cytotechnologist is a medical
laboratory technologist who examines cells
under a pathologist's supervision in order to
diagnose cancer or other diseases. FN2
John and Carolyn Devaraj are Medical

In re South Canaan Cellular
Investments, Inc.

2011 WL 4193251
In re South Canaan Cellular Investments, Inc
United States Bankruptcy Court, E D
Pennsylvania
September 08, 2011

The above-captioned chapter 11 debtors
seek confirmation under 11 U.S.C. § 1129(b)
of their jointly filed second amended chapter
11 plan dated September 28, 2009.
Confirmation is opposed by secured cre.

See More Trial Court Documents

plaintiff Claudia Rocchi. The board denied the special exception because the properties immediately adjacent to the access road would be permanently and substantially injured. On the second ***112** application, the town countered the ostensible objection to the first proposal by relocating the access road 350 feet from the nearest dwelling to traverse property owned by the metropolitan district commission (water bureau). The town also eliminated 1.3 acres of the disposal area which were most observable from the Rocchi property. We conclude that the board properly granted the second application when it determined that the modified proposal was substantially **changed** to comport with the requirements of s 3.0.2 of the building **zone** regulations.

12 The plaintiffs' claim that the granting of the special exception constituted spot **zoning** is not well founded. *Jeffery v. Planning & Zoning Board*, 155 Conn. 451, 462, 232 A.2d 497. A special exception does not involve a **change of zone** but rather a permitted use when certain conditions specified by the ordinance are met. See *Metropolitan Homes, Inc. v. Town Plan & Zoning Commission*, 152 Conn. 7, 12, 202 A.2d 241.

13 We are unable to agree with the plaintiffs' claim that the situation of the sanitary landfill operation in the vicinity of their homes is unreasonable and constitutes a confiscatory taking. While s 3.0.2 of the building **zone** regulations would allow a sanitary landfill operation to be located in ****926** any **zone**, the record is replete with evidence to support the reasonableness of the selected site. Although presently in an undeveloped state, the site lies to the west of the New London Turnpike about 1200 feet north of Cold Brook Reservoir. The area proposed for refuse is bordered on the south and west by Roaring Brook. There is a fifty-foot rapid rise of the lower level of the disposal area to the upper level of the site, making it most suitable for a sanitary ***113** landfill operation. Permitted uses in a rural, residential **zone** include agriculture, the killing and dressing of poultry, sawmills, dog kennels, golf courses, and commercial marinas and seaplane bases. See, generally, *Glastonbury Bldg. Zone Regs.* ss 3.1-3.1.4 (1958 as amended).

14 15 We will not disturb the conclusion of the trial court that there was no confiscatory taking since there was expert testimony to the effect that the values of neighboring properties would not be adversely affected by the granting of the special exception. Even in the absence of this finding, losses occasioned to individual property owners which are incidental to measures taken for the promotion of the general welfare are not ordinarily sufficient to render the **zoning** regulations invalid. *Florentine v. Town of Darien*, 142 Conn. 415, 423, 115 A.2d 328; *De Palma v. Town Plan Commission*, 123 Conn. 257, 267, 193 A. 868; *State v. Hillman*, 110 Conn. 92, 105, 147 A. 294.

16 17 The plaintiffs' final contention is that the board's action involved an unconstitutional delegation of the legislative power of the **zoning** commission to an administrative agency. We are unable to agree with this claim. Section 8-2 of the General Statutes (Rev. to 1966) permits a **zoning** board of appeals to grant a special exception. We have upheld the delegation of legislative authority against constitutional challenge when the ordinance declares a legislative policy and establishes intelligible standards to which the agency must conform. *Jennings v. Connecticut Light & Power Co.*, 140 Conn. 650, 670, 103 A.2d 535. In the instant case, as a prerequisite to granting the special exception, the board must have determined that the

public welfare and convenience would be substantially served and that the *114 appropriate use of neighboring property would not be substantially or permanently injured. These criteria are sufficient to pass constitutional muster. Clark v. Town Council, 145 Conn. 476, 483, 484, 144 A.2d 327.

There is no error.

In this opinion the other judges concurred.

All Citations

157 Conn. 106, 248 A.2d 922

Footnotes

- 1 '(Glastonbury Bldg. Zone Regs. s 3.0.2 (1958 as amended).) MUNICIPAL REFUSE DISPOSAL AREAS-When in its judgment public convenience and welfare will be substantially served and the appropriate use of neighboring property will not be substantially or permanently injured, the Zoning Board of Appeals may in a specific case, after public notice and hearing and subject to appropriate conditions and safeguards, authorize a municipal refuse disposal area (including, without limiting the generality of the foregoing, plants for the processing of refuse) or sanitary landfill disposal area as special exceptions to the regulations herein established.'

End of
Document

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Town of

P.O. Drawer 519

Zoning Department



East Lyme

108 Pennsylvania Ave

Niantic, Connecticut 06357

(860) 691-4114

Fax (860) 691-0351

Exhibit 5

Gateway History

2000- Preliminary meetings held on Gateway Development District to discuss regulations:

February 1, 2001 – Zoning Commission commences public hearings on:

1. Adoption of Zoning Regulations Section 11A Gateway Planned Development District (GPDD)
2. Adoption of proposed zone changes of numerous parcels of land from Light Industrial, CA Commercial and RU40 Residential to a Gateway Planned Development District

February 15, 2001 – Public Hearings Continued

March 1, 2001 – Zoning Commission approves the new regulations and zone changes

May, 2007 – Public Hearings on proposed text amendments to Gateway for Master Development Plan (held at the high school).

June 7, 2007 - Zoning Commission denies without prejudice text amendment to Gateway Zoning Regulations (held at the high school).

July 25, 2008 - Public Hearing on proposed text amendment by developer to the GPDD regulations (held at the middle school).

July 31, 2008 - Special meeting approved application of modified Gateway Text Master Development Plan – legal ran on August 7, 2008.

Conceptual plans approved on _____

June 20, 2013 - Zoning Commission approves 275 unites of residential apartments.



GATEWAY COMMONS

Route 161 (Flanders Road), East Lyme, CT



GATEWAY COMMONS

Location:	Route 161 (Flanders Road) at Interstate 95 (Exit 74) in East Lyme, CT
Proposed Retail GLA:	Approximately 400,000 sf
Parking:	Approximately 1750 spaces
Proposed Delivery:	Fall 2014

PROPOSED MIXED USE DEVELOPMENT - GATEWAY COMMONS, EAST LYME, CT



DEMOGRAPHICS 2011

	3 mile	5 mile	10 mile
Population:	16,013	38,877	129,329
Households:	6,109	15,053	50,813
Average Household Income:	\$102,870	\$93,380	\$81,123

CONTACT

Joseph E. Harnan
Director of Leasing & Marketing
KGI Properties, LLC
10 Memorial Blvd., Suite 901
Providence, RI 02903
T: 401.273.8600 x329
E: j.harnan@kgiproperties.com
www.kgiproperties.com

The information contained herein is from sources deemed reliable; however no representation or warranty is made to its accuracy and is submitted subject to errors, omissions, and changes to the subject property's condition, layout, square footage and development plans without notice.



KGI Properties, LLC

GATEWAY COMMONS

Route 161 (Flanders Road), East Lyme, CT



Gateway Commons, East Lyme, CT is a proposed mixed use retail and residential development approved for over 400,000 sf of retail and 400 residential units. Construction is commencing this year on the first phase of the residential with over 200 apartments expected to come on line in 2014. Situated just west of the Route 95 & 395 junction at Exit 74 (from Route 95), this development will boast visibility, access and convenience for retailers and residents.

PROPOSED MIXED USE DEVELOPMENT - GATEWAY COMMONS, EAST LYME, CT



CONTACT

Joseph E. Harnan
Director of Leasing & Marketing
KGI Properties, LLC
10 Memorial Blvd., Suite 901
Providence, RI 02903
T: 401.273.8600 x329
E: j.harnan@kgiproperties.com
www.kgiproperties.com

Gateway Commons Development Plan

May 07

"ORIGINAL PLAN"



GATEWAY COMMONS
East Lyme, CT

KGI Properties / SK Properties Development
Arrowstreet Architects / BL Companies

Gateway Commons Development Plan

June 2008

"CURRENT PLAN"



GATEWAY COMMONS
East Lyme, CT

KG1 Properties / SK Properties Development
Arrowstreet Architects / BL Companies

Retail Parcel Development Plan

"CURRENT PLAN"



GATEWAY COMMONS
East Lyme, CT

Retail Parcel Development Plan

May 07

"ORIGINAL PLAN"



GATEWAY COMMONS
East Lyme, CT

KGI Properties / SK Properties Development
Arrowstreet Architects / BL Companies

Exhibit 6

GATEWAY SCHOOL IMPACT ACTUAL DEMOGRAPHICS TO DATE

Total school age children in 140 leases	17
Total <u>new</u> children to East Lyme System	5

Breakdown

(1) Temporary 90 day Lease pending Home Renovation (already in East Lyme System)	4
(2) East Lyme Residents who sold home, but remained in East Lyme so children could finish school	7
Total already in East Lyme System	11
(3) Temporary 90 day lease Non-East Lyme child	1
Total already in system or not enrolled	12
Net new children	5