

May 21 20 07 at 3:40 AM  
PM

**EAST LYME ZONING COMMISSION  
PUBLIC HEARING I  
Thursday, MAY 17th, 2007  
MINUTES**

*Esther B Williams*

**EAST LYME TOWN CLERK**

The East Lyme Zoning Commission held a Public Hearing on the 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 – Gateway Planned Development District Master Development Plan, on May 17, 2007 at Senior Center Meal site in the Community Center, 37 Society Road, Niantic, CT. Chairman Nickerson opened the continued Public Hearing and called it to order at 7:35 PM.

**PRESENT:** Mark Nickerson, Chairman, Pamela Byrnes, Ed Gada, Marc Salerno, Norm Peck, Bob Bulmer, Alternate

**ALSO PRESENT:** Attorney Theodore Harris, Representing the Applicant  
Bill Sweeney, Professional Planner  
William Mulholland, Zoning Official  
William Dwyer, Alternate  
Rose Ann Hardy, Ex-Officio, Board of Selectmen

**ABSENT:** Rosanna Carabelas, Secretary, Joe Barry, Alternate

**PANEL:** Mark Nickerson, Chairman, Pamela Byrnes, Ed Gada, Marc Salerno, Norm Peck, Bob Bulmer, Alternate

**Pledge of Allegiance**

The Pledge was observed.

**Public Hearing I**

**1. 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 – Gateway Planned Development District Master Development Plan**

Chairman Nickerson said that this was a continuation of the public hearing that was held two weeks ago and explained the procedure for those in attendance. He noted that he had seated Bob Bulmer, Alternate at the table this evening.

Mr. Nickerson asked Mr. Bulmer to read the additional correspondence that they had received into the record.

Mr. Bulmer read the following correspondence into the record:

- ◆ Letter dated 5/17/07 to Mark Nickerson, Chairman, EL Zoning Commission from Francine Schwartz, Secretary, EL Planning Commission - Re: 8-3a Referral – Application of Theodore Harris for Gateway Development/East Lyme LLC to amend the Zoning Regulations to add new Section 11A.9 to allow development under a set of "Master Development Plan" regulations – noting that the Commission at its meeting on 5/16/07 found the Application CONSISTENT with the POCD and Yale Charrette Report to channel future commercial growth toward the Rte. 161/I-95 interchange, to provide basic infrastructure for desired development, implement guidelines to control the character of development and allow flexibility for a variety of development strategies.

- ◆ Letter from John and Patricia Smith, 16 Scott Road stating that they would be out of Town and unable to attend this evening however they had attended the last Public Hearing on this proposal and have been residents of this Town for over 60 years and are in favor of this proposal. This is the last desirable piece of commercial property and several potential buyers have backed out over previous years. They have here, the opportunity to work with experienced developers and they urge them to seriously consider this proposal.

Mr. Nickerson called for the applicant to cover the few remaining items that were left from the last meeting.

Attorney Theodore Harris, 351 Main Street said that he represents the applicant and recalled that at the last presentation they had presented the application for a text amendment to the GPDD zone and heard several hours of input from the public. There were two issues that were left unresolved. One was that the Planning Commission had requested a continuation in order for them to reply to the referral. They have that answer this evening as they just heard that the Planning Commission, after considering this on two occasions - last night for 1½ to 1¾ hours returned a finding of consistency with the POCD and Yale Charrette Report. The other item was a fiscal impact study. He said that they engaged Klepper-Smith to do one for them. He cautioned them that these studies are generally done in conjunction with a detailed application and because there is not one, this was made with conservative assumptions to gauge a potential impact. He passed out copies to the Commission – this was entered into the record as **Exhibit 2A – Data Core Partners LLC, Preliminary Impact Analysis by Don Klepper-Smith**. He briefly reviewed the study noting that it shows a \$2.2M annual positive cash flow to the Town which represents about 4% of the annual budget. It starts with gross revenues of \$4.5M with the subtraction for costs of public services and schools. He said that they would provide a much more detailed fiscal analysis as part of an application and suggested that this item be added after the traffic study requirement in the text amendment.

He added that the purpose of this regulation also allows for public workshops and discussions so that the Town and neighbors can participate in the design process and everyone can try to work together on this.

Mr. Nickerson asked the Commission if they had any questions for Attorney Harris before they heard comments from the public.

Mr. Bulmer asked if this was an assumption of costs and if there was anything in it for the building of new schools.

Attorney Harris said that the study was done based on assumptions for new students at the overall costs on a per student basis.

Mr. Bulmer said that it sounds like it does not take into consideration a new school.

Attorney Harris said that it was based on State statistics and that there are a variety of factors that go into those statistics.

Mr. Bulmer said that it sounds like the costs are based on a student today and if they did not allow housing in that area, then they may not need a new school.

Attorney Harris said that there is other housing going on that could also drive the new school factor.

Mr. Nickerson said that at this time that they do not know what that tipping point is. He then said that he found it frustrating that there was a flyer that went out citing things that had been presented and discussed at length at the previous public hearing on this. He said that they would not be going back over that information but that it is a part of the record. He explained the rules of the hearing asking that people please not repeat what has already been said.

He then called for those in favor of the application to speak first –

Richard Waterman, Lake Ave. Ext. said that he has prepared a rather lengthy statement on his viewpoint of the Gateway project for the Town. He noted that there are three items of importance that could go in this area – the Public Safety Complex, the East Lyme Public Library and a new Town Hall. In the 1997 Yale Charrette plan for the future they cited four strategies for the Gateway area and the third strategy was based on large retail and residential – which meets the text proposal before them. He went on to list several questions that they should ask regarding development in the area and stressed that the area should also be considered for a Public Safety Complex and relocation of the Post Office. Economic Development is vital to

the Town as well as preserving the character of the Town – however, he believes that the Gateway proposal should be fast-tracked.

Mr. Nickerson thanked Mr. Waterman for his comments and asked that he sum them up.

Mr. Waterman submitted his entire statement which was entered into the record as Exhibit 2B. He said that he had also submitted a copy of the entire prepared statement to the newspaper.

Ludwig Osco, 112 Dean Road thanked Mr. Waterman for his comments. He said that while he is in favor of this application that it directly affects his aquifer as he is adjacent to this project. He is also concerned with traffic congestion and he feels that this project should be very concrete so that the developer cannot deviate from the plan.

Mr. Nickerson stated that they understand that and that it would be against the law for them to present something and to then deviate from it.

Mr. Osco said that he is concerned with the high density and that he thinks that all of the necessary information should be obtained first.

Mr. Nickerson reminded the public that those in favor of the application are speaking at present and that they need to keep it in order for the record -

Carol Green, 43 Sea View Ave. said that she is very much in favor of this proposal as it is very difficult to run this Town on the residential tax dollars. She said that she is in favor of having the retail here and of keeping the tax dollars in this Town rather than going elsewhere.

Bob Robinson, Kenny Wood Road asked that at the next meeting that they hold it at a place where the people can sit comfortably instead of this place.

Ron Rando, 194 Boston Post Road said that he is in favor of this proposal – but that this is an important item on the agenda and it should be the only item on the agenda so that the people can speak without restrictions on time. He said that he has been in this Town all of his life and that it is a bedroom Town and that the Town of East Lyme is and always has been anti-business. He said that they should work with these people and see what can be done. He said to the developer that he wants them to come to this Town and build here but the only thing that is not needed is the 400 units of housing as there are many other projects under construction at this time. If they want to build the 400 units then put an impact fee on those houses of (for example) \$10,500 each to pay for the school and roads.

Rich McFadden said that he is the owner of the Eclectic Chef on Main Street and that he is on the fence about the commercial part. He does not want any big box as he is not sure what it would do to the downtown. He stressed that they should work on the residential and let the stores stay in Waterford. For better or worse, he urged them to pass the housing part but to keep the big box out as they need a better quality of life than what the big box would bring.

Carol Marelli, 74 Ancient Highway said that her property abuts this property on three sides and that she is related to one of the property owners but will not benefit from the property. She said that she received the neighborhood flyer that urged her to attend the meeting tonight to protect her property. It states that the Gateway has served the Town well for eight (8) years now – well – No, it hasn't as nothing has been developed there and what is being proposed is just as it was zoned for - commercial. It is bordered by State roads and is empty land that is being used for dumping, partying and also someone has been out there shooting – none of which is safe or healthy. Regarding the flyer that was sent around it represented the usual case that they all know well - that - 'bad news travels fast'. Many of the items mentioned border on gray areas and if people would read the zoning regulations they would find this out. Perhaps most unsettling is that some time ago they rezoned some six to seven parcels of private property there and made them unusable unless someone could buy all of them. Those regulations with those controls on it have made it a huge obstacle to any developer – it is almost like eminent domain without the court cases and it is not fair to the people of this Town who own it and who have contributed to this Town for years.

She said that she has heard many comments on this – some have said to have retail out and high tech in; some people stated that they did not know that they were talking about private land and thought that it was

Town property; at the last meeting, before it started she heard some of the alternates say that they hoped that they could be seated to speak about this – she said that she would like to think that they would come with an open mind and listen to everything that is being said. She also heard people say that this would be like Mystic Village – this is nothing like Mystic Village – this is much better. At the last meeting Ms. Byrnes commented about Niantic Village and how the shops there would be affected – they have the water there and they can stand on their own – and they should not be worrying about competition as it is competition that makes for healthy business – otherwise you would have only one of everything – instead look at all of the pizza places and pharmacies there are in Town. The Town has identified this property as the last large commercial piece to be developed and the current plan in place does not seem to be workable. You are being asked to revisit the regulations and this proposal presents options and exercises controls – and you need to trust Mr. Mulholland to watch over this. This brings forward thinking and an attractive design to the Town. She urged them to work with these people and to work towards a good project for the entire Town.

Chris Barrett, Old Black Point Road said that he has lived here for most of his life and that he was distressed that Affordable Housing was allowed in Business Park West. He said that he has some pro and con issues with this proposal. He was on the Economic Development Commission in 1997 when the Yale Charrette was brought into Town and then Jean Davies worked hard to try to bring it to fruition. He said that he is in favor of the retail and industrial but does not think that there is a need for more housing. He said that he thinks that all of the senior housing that we have will become Affordable Housing in the future and that the Town will eventually have a lot of low income housing. He would like to see the Gateway be the best that it can be but they have to face the fact that this is not a Town that you can live in and also go to work in. He said that he would like to see this proposal tweaked and worked with as we need the tax dollars. He said that he sees it as a business industrial area.

Isidore Schwartz, 107 Columbus Ave. said that he was not for or against this as he does not think that they know enough about the Water & Sewer situation. He said that he does know that if 400 units of housing come in that they will have trouble with the schools and will have to expand. If this is to be so, then the developer should build us a new school.

Howard Tisler, 9 Rockwell St. said that he was not for or against this application but that he was here to give them some new information to look over. He said that there is a shareSimsbury.com website that is put together by a group of individuals who are trying to prevent a \$200M Konover project from going in and they have amassed a large amount of information about this. There is also a website called legacy village that is outside of Cleveland, Ohio that has a mixed use of retail, residential and businesses that has worked well.

William Sweeney, Certified Land Planner said for clarification that the site with share Simsbury is the other Konover and not this Konover Properties.

Mr. Nickerson noted that this was also clarified at the last public hearing.

Mr. Nickerson called for anyone else who wished to speak in favor of this application –  
Hearing no one –

He called for those who wished to speak against it to please line up along the side and come up to speak from there –

James Thornstensen, 81 Webster Road said that he lives kind of close to this as he and his friends go over to this area and sit on chairs there. He said that while he can agree that there is dumping there that it could be cleaned up for nature trails so that they can enjoy it.

Mr. Nickerson noted that it is private property.

Bob Brookston, 101 Dean Road said that it seems that whenever he comes to these meetings that he sees Mr. Harris present and that he wants a floating zone or something else. A \$2.1M tax benefit does not cover the cost of the school children that would come.

Mr. Nickerson clarified that it was based on assumptions and that the cost of the children in schools had been taken out before the \$2.1M was arrived at.

Mr. Brookston said that people come in and want to rewrite the rules and when he wants something and asks he is told at Town Hall that he cannot do certain things – he said that he thinks that perhaps he should hire Mr. Harris to be able to do what he wants.

Sandy Mulholland said that she is a member of the Planning Commission but that the comments are hers – Mr. Mulholland, Zoning Official (no relation) said that it is against State Statute for her to speak on land use issues here.

Mr. Nickerson explained that Ms. Mulholland is no relation to Mr. Mulholland the Zoning Official and that to keep the record on track that she should not speak on this matter as she is on another land use board and this issue was taken up previously with that board.

Paul Welling, 42 Monticello Drive said that he had two items of concern to him. The first is the aquifer and he wants an independent and professional study done on potable water and the second is the traffic issue as those who have lived in Town for sometime can testify to.

Mr. Nickerson said that the Zoning Commission is the steward of aquifer protection and that the mapping is being redone and that they understand that this area may not fall under the aquifer zone however all cutting edge controls would be employed.

Sabrina Folk, 20 Mohawk Drive said that she was involved in Niantic Main Street for awhile and she recalls the 20,000 sq. ft. on the Gateway that seemed to be reasonable. She said that she is not for or against this proposal but there are empty big box stores up the road in Waterford and if they make a change for this developer then they would be setting a precedent.

John Wagner, Walnut Hill Road said that he makes a living in construction and has since High School. He thinks that things are backwards here as they have Zoning Regulations and he thinks that they should let the developers fit into that slot and not modify the regulations for them. They should adhere to our rules.

John Smith, 2 Clarks Lane said that he has lived here one year and is concerned with the square footage being increased and the traffic and the trucks. He is not for this zone change and wants it on the record.

Arthur Carlson, 2 Dean Road said that he missed the first meeting but he is uncomfortable with putting this in the hands of the developer. He said that he heard profit mentioned and it is the market that will take care of that. He is worried about the big box issue and concerned about affordable housing as it really is not 'affordable'. He is also worried about jobs and industry as he does not see jobs being created with retail that would enable people to be able to live here. He said that he is not against developing this area but he does not like the big box retail idea as it overwhelms the small guy.

Mr. Nickerson explained that Affordable Housing and the rates for the units are very well defined by the State.

Kate Steele, 23 Rose Lane said that she lives closer to this than she likes to realize and she is being told that it is going 100' from her neighbors' houses. She said that she moved from a large Town to here and that there is a good school system here for her kids but it will change with the addition of so many homes. The trails behind the homes in her area are gorgeous and albeit there are some broken down cars there but the area is enjoyable to walk. She said she thinks that they have to think green in the environmental way and look at how many houses there are on the market now. The traffic is also a concern. If the developer wants to build then they should tell him to build us another school. She said that she was an avid bike rider when she moved here from Nebraska but without a sidewalk system in place and all of the traffic, she has given it up. She said that she does not want big box stores like Wal-Mart and K-Mart here as they already have the casinos and they do not need to add to that.

Harold Clarke, 76 Giants Neck Road said that he heard someone liken the zone change to eminent domain and said that he thinks the property owners signed the zone change agreement.

Mr. Nickerson said no – they did not.

Mr. Clarke said that he did not see a regional shopping destination center in the POCD before the zone change and that he has read the proposed amendment and does not think that it gives the Commission

much power. Also, the conceptual plan did not show the big store or maximum square footage that would be built. He thinks that this is a way to cram more development in than what is allowed and that they should change the zone to CB.

Robert Corriveau, 296 Millstone Road Ext., Waterford said that he represents the Carpenters Union and carpenters locally. He thinks that the original plan is a good piece of work and that it was supposed to originally be light industrial and that having retail is not as good. They should look for high tech industry rather than retail and residential. He said that he is concerned with the impact on the water in Town as they are already under a DEP consent order and have to watch for the low water as the fish cannot travel. He said that they also have to be concerned about the Wal-Marts and Home Depots as he has newspaper articles about fertilizer that leaked and contaminated the water supply. He said that they have to be concerned that they are already near their maximum allotment for sewage to New London and that New London is also close to being maxed out on capacity. The water will make firefighting difficult. He said that he brought copies of information from the POCD to hand out to them on Aquifer Protection and Storm water Management with areas of interest highlighted. This was entered into the record as **Exhibit 2C**. He also submitted copies of the newspaper articles on the fertilizer at Wal-Mart – this was entered as **Exhibit 2D**. He lastly submitted copies of maps from the UConn Nemo website on aquifer protection areas and groundwater quality which was entered as **Exhibit 2E**. He said that wells 5 and 7 are regulated by the DEP. With storm water management going into a retention pond he questioned what the guarantee would be that chemicals or oils won't get in also. He said that there was a lot to be considered here.

Jay Chambers, 7 Rose Lane said that he lives in Rose Cliff that butts up against this project and that he is against it and against developing the land as once it is developed – it is gone. He said that he thinks that they have to think globally about this as they pay a premium to live in this Town and for the schools and other things and he does not want big box. He said that he has heard others say that if they wanted to live near the stores that they would move to Waterford. He said that he does not know much about this project but he is against it however he is in favor of some development.

Frank Bouwer, 690 Vauxhall Street, Waterford said that he owns some of the property there and that most of the group that are complaining are from Rose Cliff. They are the people who mow up to the property line, have their pools right up to the property line and they talk about the trails – well those are private trails that they are walking on. Most of the people who will remain in the Town are not those young people who are here now. They spoke about the cars left there – the VINS have been ground off of those cars – so how did they get there? Just like his property – where Gada's Gas Station is now, that is what used to be his front yard. Everything changes and with I-95 expanding it is only a matter of time. Regarding the Gateway Project study and how they paid \$26,000 for the study in 2001 and the buffer zones – they are all in the Gateway Plan if they want to take the time to read it. Along Bittersweet there is no buffer as it is not a part of the Gateway.

Robert Corriveau, 296 Millstone Road Ext., Waterford said that he had forgotten to mention one thing. He said that he noticed a lot of large parcels of land along the I-95 corridor that have been sold lately. In changing the plan they may not want to jump at the first option out there.

Mr. Nickerson asked if Attorney Harris would like to make some closing comments.

Attorney Harris said that they have heard some serious and thoughtful issues tonight that must be thought of in relation to a specific plan. He noted items such as the aquifer and traffic and said that those issues would be looked at very in-depth should this regulation move forward. He said that this regulation is based on 'thoughtful development' and that they have heard the Planning Commission decision tonight finding it consistent with the POCD and Yale Charrette. He said that they would not discount the comments but that they would be dealt with in the concept of an actual plan and application.

He said that he would like to bring them back to where they are – this is a 'tool' to allow development of a specific area in a specific way and it looks for necessary and appropriate standards and represents only a beginning to a process rather than an end. This would allow a developer to present an application. The examples presented have brought comments tonight that would be more appropriate if they would have an application with specifics in front of them. He said that he heard comments on the 100' buffer and the current regulations allow for them and that would be the end of the discussion but this proposal allows for discussion

and possibly another solution based upon that discussion. This 'tool' does not change some basic decisions that were made years ago with I-95 running through or the fact that the POCD recognized the need for economic development and stressed that this area be developed to its maximum potential. This 'tool' does not change the consistency with the POCD nor the intent of it.

Regarding an industrial park – the traffic pattern for a corporate business park during peak hours would be the same peak hours of everyone else and create traffic problems whereas retail would have a more uniform flow with less traffic during the peak hours. He said that he could not think of anything worse than the big box Pfizer corporate complex and the traffic it creates. He asked if they could imagine the Pfizer building sitting on the hill of the Gateway. He said that it is much nicer to take the potential mixed use and to make it look like a Town rather than a corporate center. A Town green central concept can be made into an inviting site in contrast to a corporate center with a sterile front. He said that they have also shown that size does not become the big factor as it can be changed by the use of architecture and the break up of parking areas. He said that he heard at the last meeting that there was not enough parking on the site while in fact there is more than enough but it is being broken up into smaller areas. But - make no doubt that a large anchor store is an economic necessity to making this a viable project and it provides the stability and catalyst to a successful development of this zone. The confluence of factors outlined in this suggested regulation allows the developer to present a potential application for this area. He said that there is a very real commitment by the people involved in this project. He thanked them and said that they look forward to being able to present an application.

Mr. Peck said that he does not know how this might go and that it could be a big turning point for the Town. He asked if there could be some discussion on some adjustment of the proposal, perhaps some suggestion on a limit of retail or residential – he asked Attorney Harris for his thoughts on this.

Attorney Harris said that they have mentioned that there is a large amount of infrastructure that has to go on here and that would necessitate the mixed use. He said that they have highlighted up front what would be absolutely necessary to make this successful from an economic standpoint. He said that they heard from someone that there is 625,000 sq. ft. of retail when in fact they stated that they would have no issue with limiting the retail to a maximum of 425,000 sq. ft.

Ms. Byrnes said that Affordable Housing is a huge issue and that Mr. Peck had just asked about 'wiggle room' and while there will be meetings with the neighbors – where is the 'wiggle room'?

Attorney Harris said that Mr. Peck mentioned retail and that they have said right along that they need to have this.

Ms. Byrnes said that they have low wage people working in retail with no place to live and asked about Affordable Housing.

Attorney Harris said that while it has not totally been ruled out that the area perhaps is not the best for Affordable Housing. He added that there are other Affordable Housing applications that will be coming. Mr. Sweeney, Certified Land Planner said that they specifically did not want to put those type of restrictions in now on the housing and that it would be something for future discussion.

Mr. Salerno asked about the build out and if it would be all retail and residential.

Attorney Harris said that the retail would also include restaurants and business and possibly office space.

Mr. Salerno asked if they were looking for a blend of use.

Attorney Harris said that they would look at it in the process and noted that the amendment does not prohibit office space.

Mr. Salerno asked if they were to approve this and there is no office space presented, who would have the power on the decision.

Attorney Harris said that it states that it is the discretion of the Commission to determine compliance.

Mr. Nickerson asked them what there is to stop them from just going forward.

Attorney Harris said that they could disapprove it based on non-consistency with the GPDD, POCD as they are not taking the goals of the zone out and it would be for them to convince the Commission that they have met those standards.

Mr. Salerno asked if it would affect or work with the downtown area.  
Attorney Harris said that he does not think that he could produce results basing it on the intangibles at this point in time.

Mr. Salerno asked what stops the big box from going in and the rest of the area not being developed.  
Attorney Harris said that they call it a 'large anchor' and that the infrastructure bonding would be provided as well as the phase development.

Mr. Salerno asked about the 400 units of housing and if there was any compromise there.  
Attorney Harris said that they would certainly discuss it if it got to that stage. They are open to discussion but this would need to be looked at only when the Master Plan is a reality. It is in the abstract now and only a conceptual plan and the problem with setting other artificial numbers is that they may or may not work. If they come in at the 400 they can decide on it as appropriate based on discussion with the neighbors and others as discretion is a part of the regulation and a decision can be made in the context of a specific plan.

Mr. Mulholland asked Attorney Harris how many acres were on the residential side.

Attorney Harris said there were 150 acres.

Mr. Mulholland said that 150 x 3 is the maximum code.

Attorney Harris said that they have said that 400 would be the maximum.

Mr. Mulholland asked how this could be turned down as it falls under the code and this plan.

Attorney Harris said that it would be by the regulations.

Mr. Mulholland said that it is then Attorney Harris' opinion that the Commission could chose to grant say 250 units under the regulations?

Attorney Harris said yes – if it would impact the aquifer or another issue. He also noted the MDP criteria.

Mr. Bulmer said that he wants to focus in on why they are here tonight. He said that it seems that they are here to discuss the MDP and that all of this discussion on types of buildings and numbers is irrelevant. He would like them to stay focused on the GPDD that they have in place and if this were changed would it apply to any developer? Could there be a Mr. Sleazy developer who could come along?

Attorney Harris and Mr. Nickerson said that it is only for the GPDD area. And – yes, someone else could come along however they would have to control 75% of the zone which would mean that his applicants would have to want to sell the property and someone else would have to be able to buy it.

Mr. Nickerson asked what happens if they do not have the 75%.

Attorney Harris said that it then reverts to the original regulations as the MDP overlays the regulations but does not replace them.

Mr. Bulmer asked about the land that is left in the Gateway and not a part of this.

Attorney Harris said that it cannot be left without access to utilities and has to be left in a developable state and not cut off from services. He said that is also stated in the MDP.

Mr. Gada said that he is concerned that there be some Affordable Housing as it is a big topic here.

Mr. Nickerson suggested that they close the Public Hearing but hold off on a decision and ask staff to gather some information and ideas on Affordable Housing density and mixed use as this is a new concept. With this information they could have better discussion.

Attorney Harris said that he could appreciate their anxiety and that he has no problem with Mr. Mulholland coming up with more information and some language to make this more comfortable.

Mr. Nickerson called for a motion to close this Public Hearing.

**\*\*MOTION (1)**

**Mr. Salerno moved that this Public Hearing be closed.**

**Ms. Byrnes seconded the motion.**

Mr. Peck recalled that he had asked for some information on crime rates and the retail structure at the last hearing.

Mr. Mulholland said that he had checked with Chief Pendleton of Waterford on the incidents of crime at the Crystal Mall in Waterford from 2002 through 2006. In 2002 they had 415 calls and in 2006 they had 71 calls - the information shows that the number of calls has steadily declined each year since 2002.

Mr. Nickerson said to Attorney Harris that the economic impact study would take this into consideration. He then called for a vote on the motion.

**Vote: 6 – 0 – 0. Motion passed.**

Mr. Nickerson closed this Public Hearing at 10:44 PM.  
(A brief break was taken)

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

# DataCore Partners LLC

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May 16, 2007

Mr. Jay Fisher  
Konover Properties  
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Mr. Chris Knisley  
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Dear Mr. Fisher and Mr. Knisley:

Per your request, I would like to summarize my early assessment from my preliminary analysis of the net fiscal impacts from your proposed multi-use development in East Lyme, Connecticut.

It is my understanding that you are only at the stage of a requested text amendment to the zoning regulations and that the information that I have been provided is purely a concept plan with no current basis in zoning and therefore in order to not overstate this opportunity I have utilized a conservative set of assumptions. Therefore, my analysis, based upon those conservative economic assumptions, may understate the net fiscal benefits to the Town. I look forward to a more detailed site plan proposal at which time we can development a much more refined analysis.

Conducting an analysis from a concept plan necessitates a significant number of assumptions, which I have attached as an exhibit. In summary, revenue assumptions are built on a projected mill rate of 20.00 in the coming fiscal year, extrapolated into the future based on the Town's historical growth rate of 3%, rather than the old mill rate of 28.39. Municipal expenses are allocated based on the per capita multiplier method for residential development, and the proportional valuation method for commercial development.

Exhibit 2A Zoning PFI 5/17/07

In conclusion, based on my preliminary analysis of the proposed concept plan presented to me by the Konover/Koffler team, the calculated net fiscal impacts to the Town of East Lyme from the completion of this project would be as follows:

**A Positive Net Tax Impact of Approximately \$2.2 million dollars (2011).**

<b>Source/Use</b>	<b>Amount</b>
1- Year Gross Tax Revenue (2011)	\$4.450 Million
1- Year Municipal Expenses (2011)	\$1.196 Million
1- Year School Costs (2011)	\$1.058 Million
Current Tax Revenue from Unimproved Land (2011)	\$ .041 Million
1- Year Net Fiscal Impact (2011)	\$ 2.155 Million

Note: Above numbers are rounded

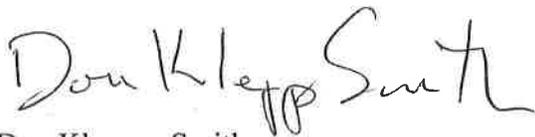
As previously expressed, this is a “proforma” estimate based upon a substantial number of assumptions that I would expect to be more fully developed at the Master Plan phase.

I reiterate my initial position that the more appropriate time for this analysis is during the Master Plan stage of application and program development when the actual development plan has been better refined and finalized.

Finally, I would like to thank Ms. Donna L. Price-Bekech, East Lyme’s Assessor, and her staff, as well as other municipal officials, who were very helpful in providing data for my analysis.

Please call me at my New Haven office, (203) 782-4337, if you have any additional questions at this time.

Sincerely,



Don Klepper-Smith  
Chief Economist and Director of Research  
DataCore Partners LLC

## ASSUMPTIONS

### 1. The commercial portion of our analysis works with the following assumptions:

Estimated buildout of 425,000 square feet. Multi-use development. Construction starts in 2008, with full buildout estimated in 2011. Full municipal expenses incurred as of 2008.

Total buildout: 3-5 years. Average annual buildout: 4 years.

Estimated market value of construction based on similar construction elsewhere; assessed values based on 70% of market values.

Estimated land values per Town Assessor: Market value of developed land: \$125,000 per acre; undeveloped: \$15,000 per acre.

Estimated market value of outbuildings: \$2,500 per parking space for 1,700 spaces.

3% annual inflation rates, applied to municipal expenses, current property taxes on the property, and construction costs.

Personal property to real property ratio of 11% based on similar local commercial construction in the region.

Historical mill rates per Town Assessor. Projections per Town Assessor. Current mill rate of 28.39 expected to drop to 20.00 in the next fiscal year, and then climb at its historical growth rate of 3.0% after revaluation.

Current assessment on current parcel: \$1,799,300

Analysis assumes loss of existing tax revenue to the Town (opportunity cost); property transfer in 2008.

Analysis assumes buildout of 50 acres of out 54.3 acres. 4.3 acres on commercial portion to remain undeveloped.

40-year depreciation schedule on commercial construction, 15-year depreciation on outbuildings.

Analysis assumes that full municipal expenses start being incurred as of 2008.

Analysis excludes impacts from consumption of goods and services from future employees.

Analysis excludes impacts from future revaluations.

### 2. The residential portion of our analysis works with the following assumptions:

400 residential units: 58 single-family detached units; 70 townhomes; 72 duplexes, and 200 apartments

Construction starts in 2008, with full buildout in 2011.

Total buildout: 3-5 years. Average annual buildout: 4 years.

Average initial market prices: Single-Family detached units: \$564K-\$658K; Duplex units: \$380K-\$417K; Townhomes: \$319K-\$382K; apartment rents: \$1,063/month to \$1,500/month

No age restrictions; full student impacts on school system

3% annual inflation rate

Personal property taxes (motor vehicles) per household per Assessor's data: \$350.61

Projected municipal expenses from 2006-2007 Approved Town Budget

Most comprehensive measures of municipal expenses considered (Entire non-education budget)

Public Safety per capita expense for East Lyme in 2006-07: \$122.18

Public works per capita expense for East Lyme in 2006-07: \$204.08

General Local Govt. per capita expense for East Lyme in 2006-07: \$256.72

Miscellaneous municipal per capita expense for East Lyme in 2006-07: \$403.58

Demographic multipliers per Urban Land Institute Development Impact Assessment Handbook, New Fiscal Practitioner's Handbook, and June 2006 Update to Fiscal Practitioner's Handbook (Rutger's Center for Urban Policy Research)

Current per person household ratio for all East Lyme households as of 2006: 2.93; population of 18,808; households of 6,416 (CT Economic Resource Center)

Historical mill rates per Town Assessor. Current mill rate of 28.39 expected to drop to 20.00 in the next fiscal year, and then climb at its historical growth rate of 3.0% after revaluation.

Excludes stimulative impact on local spending via consumption of trade and services

Excludes impact of revaluation

Data on Student Expenses per 2005-06 Strategic Profile: East Lyme School District, issued by State of CT

East Lyme School Expense per student: \$10,740 (Total); Local Portion 72.7%, or \$7,808 (ESC Grants)

Current student per household ratio is .50 students per household (3,239 students in 6,416 households)

Analysis assumes 139 acres of land will be dedicated for residential development: 35.7 acres of wetlands; 17.0 acres for apartments; 79.6 acres for single-family homes and townhomes; 6.7 acres of public areas. To be rezoned for residential use as of 2008.

**DONALD KLEPPER-SMITH**  
**Chief Economist and Director of Research**  
**DataCore Partners LLC**

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**Email: donks@aol.com**

**1. Biography**

Don Klepper-Smith is Chief Economist and Director of Research for DataCore Partners LLC, a Connecticut based professional services firm. A professional researcher for over twenty years, Don develops and directs strategic planning initiatives on behalf of clients in order to help them make better business decisions.

Don was previously Chief Economist and Director with Scillia Dowling & Ntarelli Advisors in New Haven between April 2003 and May 2004, and has also served as Executive Director of the New Haven Regional Data Cooperative, helping grow Connecticut non-profit institutions. Between 1982 and 1996, Don was Corporate Economist with Southern New England Telephone in New Haven, providing economic analysis and forecasts of national and state business conditions for use in forecasting growth of SNET telephones, toll calling and revenues.

Don has been a long-time observer of the region's economy, developing both quantitative and qualitative projections based on various market and demographic factors. He is regularly quoted by various media sources for his perspective and insights on the domestic and Connecticut economies. He is a frequent Economics Commentator on WTNH Television in New Haven, Connecticut, and is a member of the National Association of Business Economists.

With respect to the U.S. economic picture, Don is often looked to for his perspective on Federal Reserve policy, examining the future course of interest rates and their subsequent impacts on domestic and regional expansion. He is a specialist in assessing the "microeconomic" impacts of "macroeconomic" events, helping businesses chart out future strategies that best leverage the constantly changing economic landscape. Don specializes in evaluating consumer markets, providing assessments of where employment is growing and declining. A technician by trade, Don's reliable forecasts of the changing U.S. and New England economic landscapes have kept him in demand. He's often seen on WTNH television in New Haven as an Economics Commentator, offering his perspective and insights.

Don has also chaired numerous economic outlook conferences held jointly by the Economic Club of Connecticut and the Hartford Area Business Economists in recent years. In January 1992, Don was elected President of the Economic Club of Connecticut, which explores economic issues of importance to Connecticut with a focus on business,

government and education. He also served as an Economic Advisor to the Governor of the State of Connecticut during the Weicker and Rell Administrations.

Don earned his Masters Degree in Public Administration at S.U.N.Y. at Stony Brook, New York, in 1978 focusing on economics, econometric modeling, statistics and forecasting theory. In 1975, he received his B.S. in Applied Mathematics at Stony Brook.

Don lives in Durham with his wife Marcia and their two daughters, Lee and Dana.

The following control measures have been implemented to protect against the various sources of contamination:

### **Aquifer Protection**

East Lyme has delineated primary and secondary aquifer protection district boundaries, which operate as overlay zones and are regulated through zoning. Areas within the protection districts retain their underlying residential, commercial or industrial zoning but are subject to additional restrictions for protection of the underlying groundwater. Certain uses with the greatest potential for pollution of the groundwater are prohibited outright within the primary protection districts. Other uses are permitted only upon granting of a special permit by the Zoning Commission. The applicant must show, on the basis of plans and reports, that any hazardous materials used on the site will be properly stored and disposed of, that there will be no increase in storm water runoff from the site after development and that the provisions for disposal of sanitary wastes are adequate. These restrictions apply to new development only and do not affect the continued operation of prohibited or special permit uses in place prior to the adoption of the regulations.

Unlike stratified drift aquifers, the recharge areas for bedrock wells are difficult to determine since the movement of groundwater in bedrock depends on the location of fractures. This unpredictability makes it especially difficult to protect bedrock wells. Until new techniques are developed to better delineate the recharge areas of these wells, they can be defended by protecting the entire resource area.

### **Soil & Erosion Control**

The filing and approval of an erosion control and sedimentation plan is a standard requirement for all land-use applications that will result in the disturbance of cumulatively more than one-half acre, or if the project lies within 50 feet of one or more of the following natural resources: tidal wetlands, watercourses, beaches, dunes and naturally-eroding coastal bluffs. Plans must be developed in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control and certified by the approving agency. Performance bonds are required as necessary and inspections made by the Commission or its agent during development to ensure compliance with the certified plan.

### **Stormwater Management**

Many different activities and land-use patterns create non-point source (NPS) pollution. Commonly, NPS pollutants are carried by rain and snowmelt that run into lakes, streams and other water bodies. Stormwater runoff can carry soil, fertilizers, pesticides, oil and other car fluids, trash and other materials that affect water quality. Runoff increases when natural vegetation, which captures and uses much of the rainwater, is removed. Problems also occur when natural lands are developed and covered with houses and hard surfaces, such as asphalt, that do not absorb water. Rainwater that falls on these surfaces quickly runs into surrounding areas. Non-point source pollution has been identified as one of the major sources of water quality problems. The best way to reduce NPS pollution is to reduce the amount of nonabsorbent and minimally absorbent ground cover. Where necessary, the best management practices should be implemented to mitigate the potential for contamination of surface or groundwater. Stormwater Management Plans are now required by the Connecticut DEP for commercial activities with five (5) acres or more of contiguous impervious surface, as well as for municipal facilities through the NPDES (National Pollutant Discharge Elimination System) permit program. Additional NPS controls are necessary at the local level, particularly in association with road design and construction.

### **Sewage Disposal**

If improperly designed, installed or maintained, on-site sewage disposal systems can introduce biologic pollutants to the groundwater. Permit responsibility for on-site septic systems is shared between the Town and the State, depending on the size of the discharge. Development proposals that would

EXHIBIT 2C Zoning 70 5/17/07

## Road Salt Storage/Use

The Town's aquifer protection regulations prohibit salt storage in the primary protection districts and establish specific standards for storage in secondary districts. The location for salt storage at the Town garage is not within an aquifer protection zone and follows best management practices. Additionally, the Town has reduced the amount of salt used on the roads. The Connecticut Department of Transportation has a salt storage facility located in a secondary district. The facility was upgraded in 1994 and now meets all the requirements for that district.

## INLAND AND TIDAL WETLAND PROTECTION

Inland and tidal wetlands are protected reasonably well under existing laws. In 1990, the regulated area was extended to within 100' of inland wetlands and watercourses. The continuance of protection depends upon strict enforcement of the regulations in place. Tidal wetlands have limited protection under current regulatory setbacks within the Zoning Regulations and the regulatory setback should be increased from 25 feet to 100 feet for grading, clearing and development of structures and buildings.

## FLOOD HAZARD PROTECTION

An ordinance and zoning regulations concerning flood damage protection have been adopted by the Town. They include methods and provisions for: 1) restricting uses which result in damaging increases in erosion or in flood heights or velocities; 2) requiring that uses vulnerable to floods be protected against flood damage at the time of initial construction; 3) controlling the alteration of natural flood plains, stream channels and natural protective barriers which help accommodate or channel flood waters; 4) controlling filling, grading, dredging and other development which may increase flood damage; and 5) preventing and regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas. Additional protections are needed through a special permit regulatory process to ensure that damage to structures and property in flood prone areas, including Coastal Hazard Areas, are mitigated.

## WATER SUPPLY MANAGEMENT

In 1998, due to a limited developed water supply, the Town found it necessary to implement a moratorium on new water connections for subdivisions and commercial establishments. Although the Town has the potential for developing new wells, the water supply is not infinite. Furthermore, it is becoming increasingly more difficult to obtain the required DEP permits (including renewal of existing permits) for water supplies from aquifers feeding surface waters due to adverse environmental impacts caused by the potential lowering of water levels in rivers and lakes. Two of the six wells presently in operation are in danger of not being re-permitted by DEP for this reason. A revision to the Town's Water Supply Plan is currently underway. Once the plan is completed and an analysis made of potential build-out and future demand, the Town may need to re-evaluate the extent to which public water supplies can be extended to undeveloped areas and employ additional protective and conservation measures of existing and potential water supplies where possible. Required minimum lot sizes may need to be adjusted accordingly depending on the results of this analysis.

## RECOMMENDATIONS

The following paragraphs present recommendations for additional controls and policies that should be considered by the Town. Any final proposals should be drafted in consultation with the appropriate Town agency(s) as listed in italics.

1. Of immediate concern is the need to assess the viability of Town public water supplies in light of new permitting requirements by DEP. A build-out analysis should be conducted to ascertain the feasibility of planned extensions of public water to undeveloped properties based on existing or potential supplies. Allowable lot sizes should be re-evaluated in areas not to be served by public water or sewer taking into account the findings of the Report on Pollutant Loadings and the Lot Sizes Needed to Support Residential Development in Connecticut prepared by the DEP, Water Compliance Unit. According to The Water Quality Standards and Criteria adopted by the CTDEP, all groundwater north of I-95 in East Lyme, and in much of the remaining Town, has been classified as GA, which means that the existing groundwater quality is suitable for drinking and must not be allowed to fall below its present quality. *Planning Commission, Health Dept., Water and Sewer Commission.*
2. Consider adopting a Zoning Regulation requiring that all lots contain a minimum area of buildable land to further protect sensitive environmental resources. The adoption of buildable land criteria into local land-use regulations has been identified as a State goal in Connecticut's Environmental Plan, Environment 2000. *Zoning Commission.*
3. Consider incorporating the following stormwater best management practices into Town Road Design Standards and Subdivision and Zoning Regulations. *Planning Commission, Zoning Commission, Engineering Department.*
  - Stormwater runoff management in aquifer areas shall promote pre-treatment of runoff prior to discharge and aquifer recharge. Stormwater drainage for new industrial and commercial development shall be treated to remove particulate and dissolved pollutants associated with road and parking lot runoff prior to discharge. Infiltration of clean or pretreated run-off should be maximized, except in areas subject to an unusually high risk of hazardous material spillage. Open vegetated basins, depressions and buffer strips are the preferred methods of infiltrating stormwater runoff from paved surfaces.
  - New or enlarged sites for the accommodation or storage of manure, fertilizers, pesticides and herbicides shall:
    - Have a roof which shall prevent precipitation from coming into contact with these materials.
    - Have a liquid-tight, diked floor with no drains other than a sump pit.
    - Be located so that surface water runoff drains away from the storage area.
  - Any above-ground chemical and fuel storage tank shall be on an impervious, structurally diked area to contain any leaks or spills, with no drains other than a sump pit, and suitably covered to prevent precipitation accumulation.
  - Dumpsters and other waste receptacles shall have covers or shall be located within roofed areas and shall be placed on impervious surfaces, away from storm drains.
  - Except for clean roof drainage, the use of underground drywells or leaching trenches is not allowed for any stormwater runoff from developed areas. Avoid extending public sewers into sensitive groundwater areas, which may encourage intensive land use and cause secondary impacts. Priority should be given to extending sewers into areas to solve existing pollution problems, particularly along our shorefronts and in highly developed commercial & residential areas (less than 0.6 acres per dwelling unit). *Water & Sewer Commission, Planning Commission, Health Department.*

4. Consider a reduction in required road width from 30' to 24' for new subdivisions to minimize impervious surfaces and the amount of clearing/regrading made necessary for road construction. *Planning Commission.*
5. Review cluster subdivision regulations to encourage further protection of sensitive natural resources. *Planning Commission, Zoning Commission.*
6. Consider re-zoning land north of I-95 and west of Route 161 that lies in part within the Pattagansett Aquifer Protection District from industrial to office/light industrial. A more suitable area for industrial development could be located to replace it. *Zoning Commission, Planning Commission, Economic Development Commission.*
7. Consider establishing a sewer avoidance program consisting of mandatory inspections and maintenance at regular intervals to manage existing on-site sewage disposal systems. The benefits of such a program are threefold. First, with preventative maintenance, the need for costly repairs by the homeowner can be avoided. Second, systems which are not providing adequate treatment can be detected and improved, and lastly, installation of sewers can be avoided. As mentioned previously, additional personnel would be necessary to implement such a program. *Board of Selectmen, Health Department.*
8. Systematic maintenance programs in place should be reviewed to assure regular vacuuming and routine catch basin clean-out. Decreasing impervious surfaces and methods to increase infiltration is another measure that should be included in road and parking design. *Board of Selectmen, Planning Commission, Zoning Commission.*
9. A storm-water management ordinance or regulations should be instituted for both Town and private construction and development. *Board of Selectmen, Planning Commission, Zoning Commission.*
10. The regulatory setback for tidal wetlands should be increased from 25 feet to 100 feet for all grading, clearing and building of structures.
11. The Town should consider mitigation measures in coastal high hazard areas. These measures might include beach nourishment programs in critical areas, such as Oak Grove Beach.

<http://www.courant.com/business/hc-walmart0816.artaug16,0,3143522.story?coll=hc-headlines-business>

## Wal-Mart Takes A Hit, For Pollution

### Retailer Agrees To Pay \$1.15 Million For Letting Garden Chemicals Enter State Waterways

By RITU KALRA  
Courant Staff Writer

August 16 2005

Retailing giant Wal-Mart Stores Inc. agreed to pay \$1.15 million for allowing garden chemicals to pollute local rivers and streams, Attorney General Richard Blumenthal announced Monday.

Wal-Mart, which was fined earlier this year for violating child labor laws in Connecticut, agreed to pay \$600,000 in civil penalties for alleged violations of clean-water laws at 22 stores.

The retailer also agreed to pay \$550,000 to help municipalities address storm water issues and for environmental projects in the Connecticut River's watershed.

The Department of Environmental Protection originally filed suit against the company in 2001 for improperly storing pesticides and fertilizers outside. The chemicals were carried into local waters during heavy rains.

The state amended the lawsuit in 2003 after it discovered that some Wal-Mart stores were also operating without appropriate wastewater permits, and were selling sewer additives that are illegal in Connecticut.

"Wal-Mart's environmental record here seems as low as its prices," Blumenthal said.

"We're holding Wal-Mart accountable for systemic, repeated violations across the state. This significant settlement should send a stark message to the industry: Environmental disregard carries consequences."

Wal-Mart is not the only retailer to run afoul of storm water regulations. In fact, the DEP said Monday, although the settlement is the largest of its kind in the state, pesticides and fertilizers are all too often improperly stored at retail outlets.

"It's not just Wal-Mart. Any retail operation that has outdoor storage of these chemicals poses a risk," said Oswald Inglese Jr., an enforcement official with the DEP.

Inglese said that during its investigations, the DEP often finds pesticides stored outside without a roof to protect the chemicals from being pelted by rainwater.

Even when stored inside, the bags tear easily.

In a 2002 survey of 18 Wal-Mart, Home Depot and Lowes stores, Environment and Human Health

EXHIBIT 2D

Zoning 5/17/07

Inc., an environmental group based in New Haven, found torn bags of weed killers, insecticides and fungicides at most of the stores.

The contents had visibly contaminated store shelves, floors and storage areas, according to the group's report.

Retailers' attempts to clean the spills often add to the problem.

"Accidents do happen, and sometimes to keep their displays clean, retailers actually hose down the area. They're not thinking of the runoff and environmental issues involved with that," Inglese said.

Wal-Mart said it has implemented numerous procedures to ensure future compliance with environmental laws, including the installation of new trash compactors designed to prevent leaks, the implementation of new policies requiring lawn and garden chemicals to be stored under a covered roof, and the training of its employees in DEP storm water requirements.

"What we're saying is that we agree to put this matter behind us. We are pledging our commitment to improving storm water compliance in our stores and to protecting the environment in the state of Connecticut," said Marty Heires, a spokesman for Wal-Mart.

But Wal-Mart - subject of a soon-to-be released documentary on the public toll of its low prices - has violated storm water regulations before, though in a different context.

In 2001, Wal-Mart agreed to pay a \$1 million fine to the U.S. Environmental Protection Agency and the Department of Justice to resolve allegations that it illegally discharged water from 17 construction sites in four states.

As part of the settlement, Wal-Mart also agreed to spend \$4.5 million to improve compliance at each of its construction sites, in part by training contractors on storm water requirements and by establishing an independent audit program.

Wal-Mart says it is confident that the new procedures will improve its compliance record.

"Let's face it. Some of this comes with the territory of being the largest retailer in the country," Heires said.

"We know that, and we know that more is expected of us. We're ready to step up to the plate."

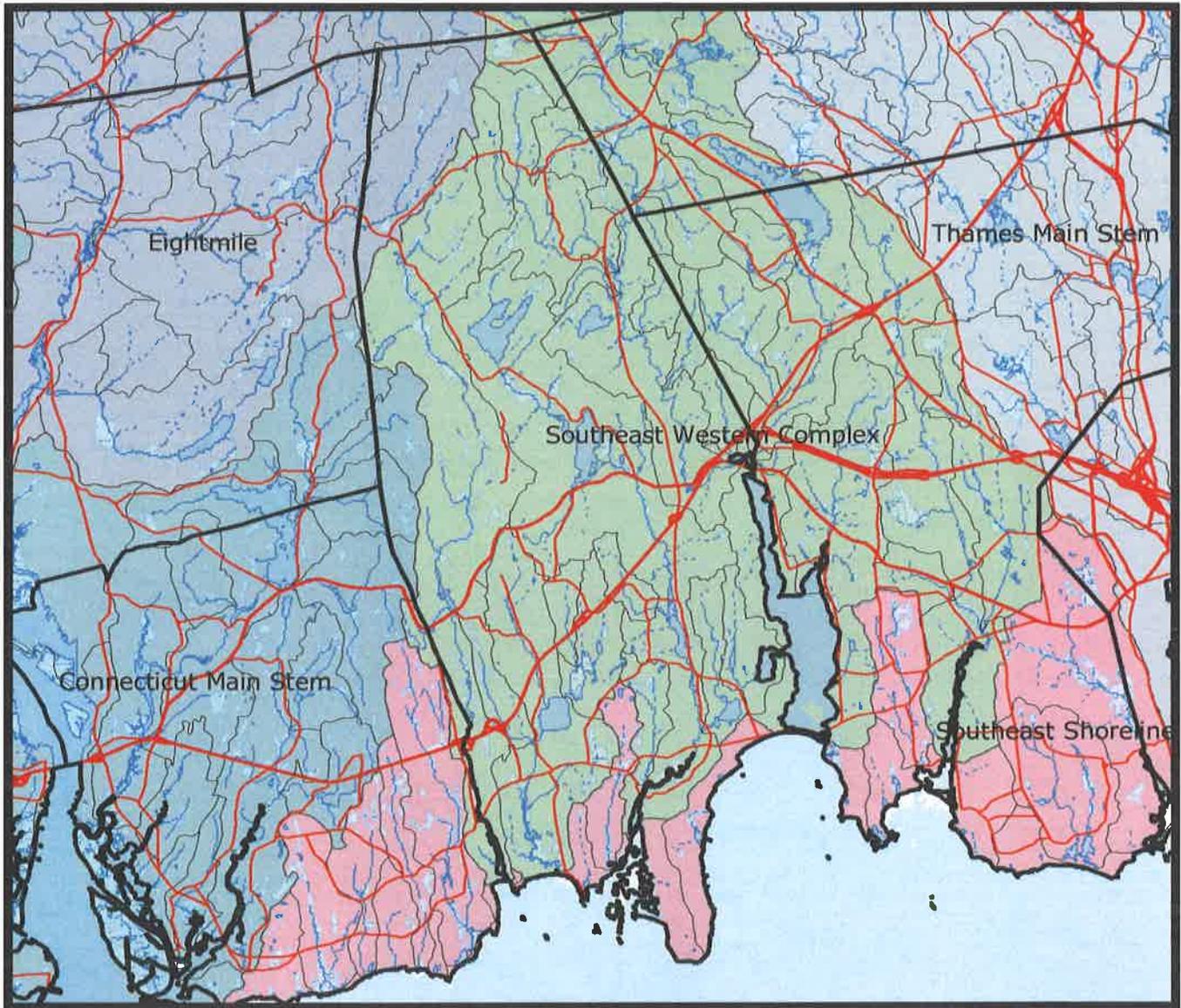
Copyright 2005, Hartford Courant

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# East Lyme, CT

# Watersheds

## Community Resource Inventory Map Series



### Legend

- Towns
- Primary Route
- Secondary Route
- Local Basins
- Regional Basins (colors)
- Intermittent Water
- Water/Shore
- Water
- Intermittent Water
- Marsh



0 0.5 1 2 3 Miles



**More Information:** Visit <http://clear.uconn.edu/projects/cr>

**Data source:** All data layers from CT DEP (<http://dep.state.ct.us/gis/>).

This project was funded in part by the CT DEP through an EPA Clean Water Act Section 319 Nonpoint Source Grant. NEMO is an educational program of the Center for Land use Education and Research (CLEAR) at the University of Connecticut.

These maps are intended for general information and planning purposes only. They contain no authoritative positional information.



Exhibit 2E Zoning 5/17/07

# AQUIFER PROTECTION AREAS

EAST LYME, CT

April 1, 2007

- Final APA Adopted (Level A)
- Final APA (Level A)
- Preliminary APA (Level B)
- Town Boundary

NOTE: This map shows Connecticut's Aquifer Protection Areas, as delineated through the Level A and Level B Mapping Processes. Aquifer Protection Areas are delineated for active public water supply wells in stratified drift that serve more than 1000 people, in accordance with Sections 22a-354c and 22a-354z of the Connecticut General Statutes. Level B Mapping delineates a preliminary aquifer protection area, providing an estimate of the land area from which the well draws its water. Level A Mapping delineates the final Aquifer Protection Area, which becomes the regulatory boundary for land use controls designed to protect the well from contamination. As Level A Mapping is completed for each well field and approved by DEP, it will replace the Level B Mapping. Towns that have adopted the Aquifer Protection Areas at the local level and for which landuse regulations are now in place are designated by the solid pink/red shading.

QUESTIONS: DEP, Bureau of Water Protection and Land Reuse, Planning and Standards Division  
Phone (860) 424-3020  
[www.ct.gov/dep/aquiferprotection](http://www.ct.gov/dep/aquiferprotection)



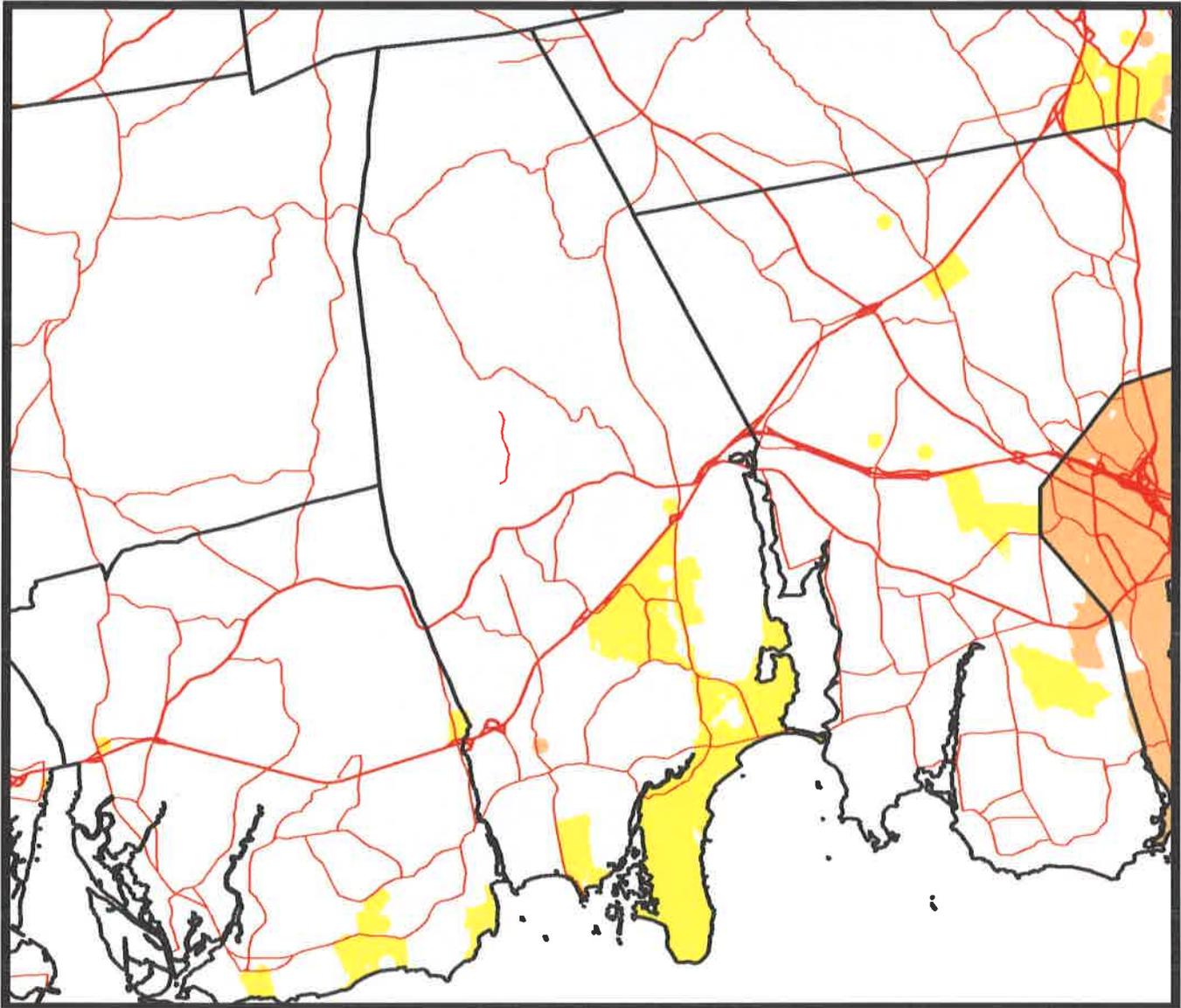
STATE OF CONNECTICUT  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
79 Elm Street  
Hartford, CT 06106-5127



# East Lyme, CT

# Ground Water Quality

## Community Resource Inventory Map Series



### Legend

- Towns
- Primary Route
- Secondary Route

### Ground Water Quality

- Natural quality/suitable for drinking (GAA, GA)
- Threatened (GA\*, GAA\*)
- Possible degradation/not suitable for drinking (GB)
- Impaired (GC)



0 0.5 1 2 3 Miles



**More Information:** Visit  
<http://clear.uconn.edu/projects/cri>

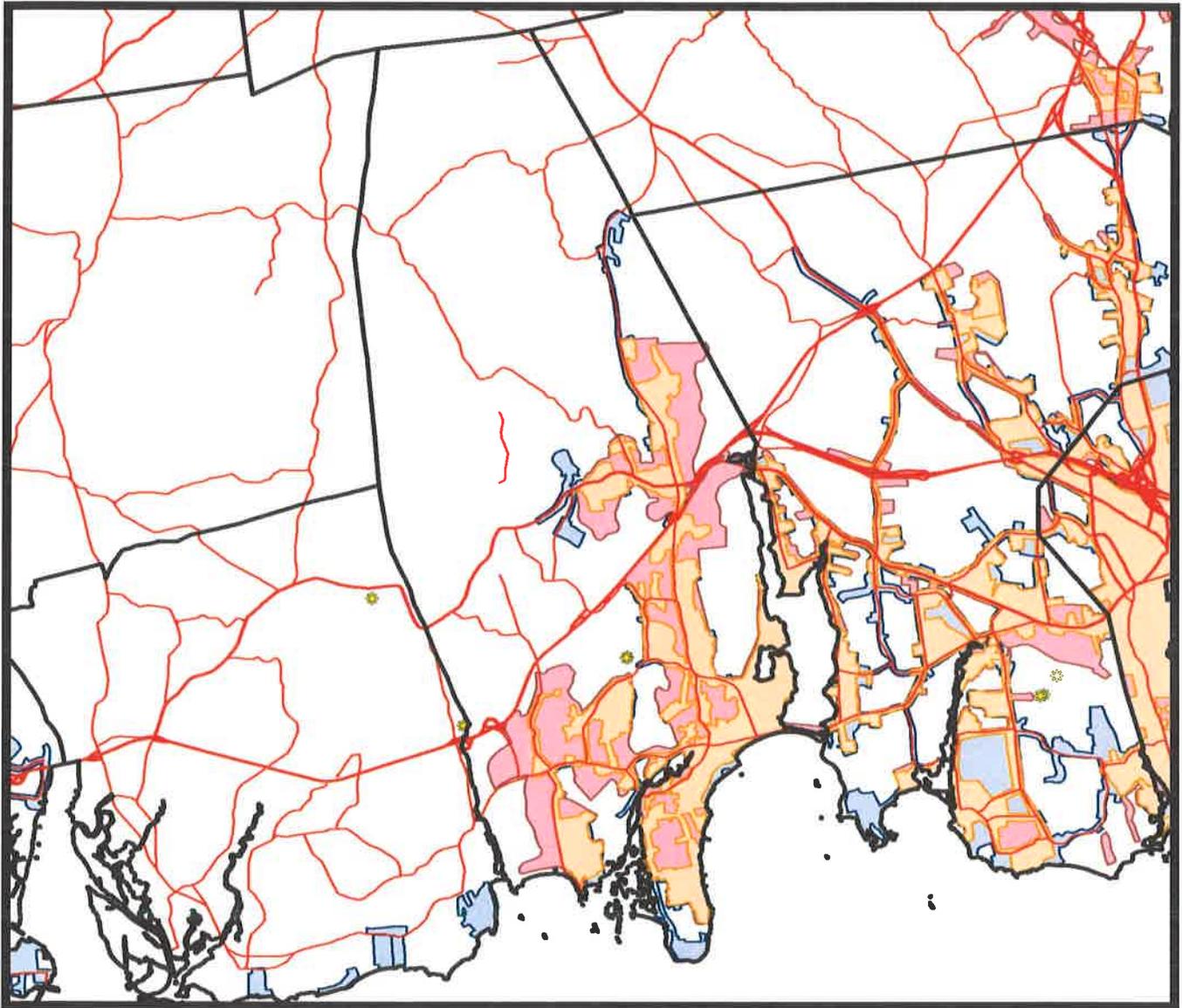
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## Community Resource Inventory Map Series

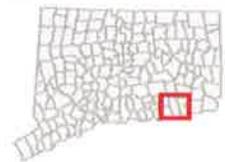


### Legend

- Towns
- Primary Route
- Secondary Route
- Municipal Solid Waste Sites
- Sewer Service Only
- Water Service Only
- Sewer and Water Service
- Water Service/Proposed Sewer
- Proposed Sewer Service



0 0.5 1 2 3 Miles



**More Information:** Visit <http://clear.uconn.edu/projects/cri>

**Data source:** All data layers from CT DEP (<http://dep.state.ct.us/gis/>).

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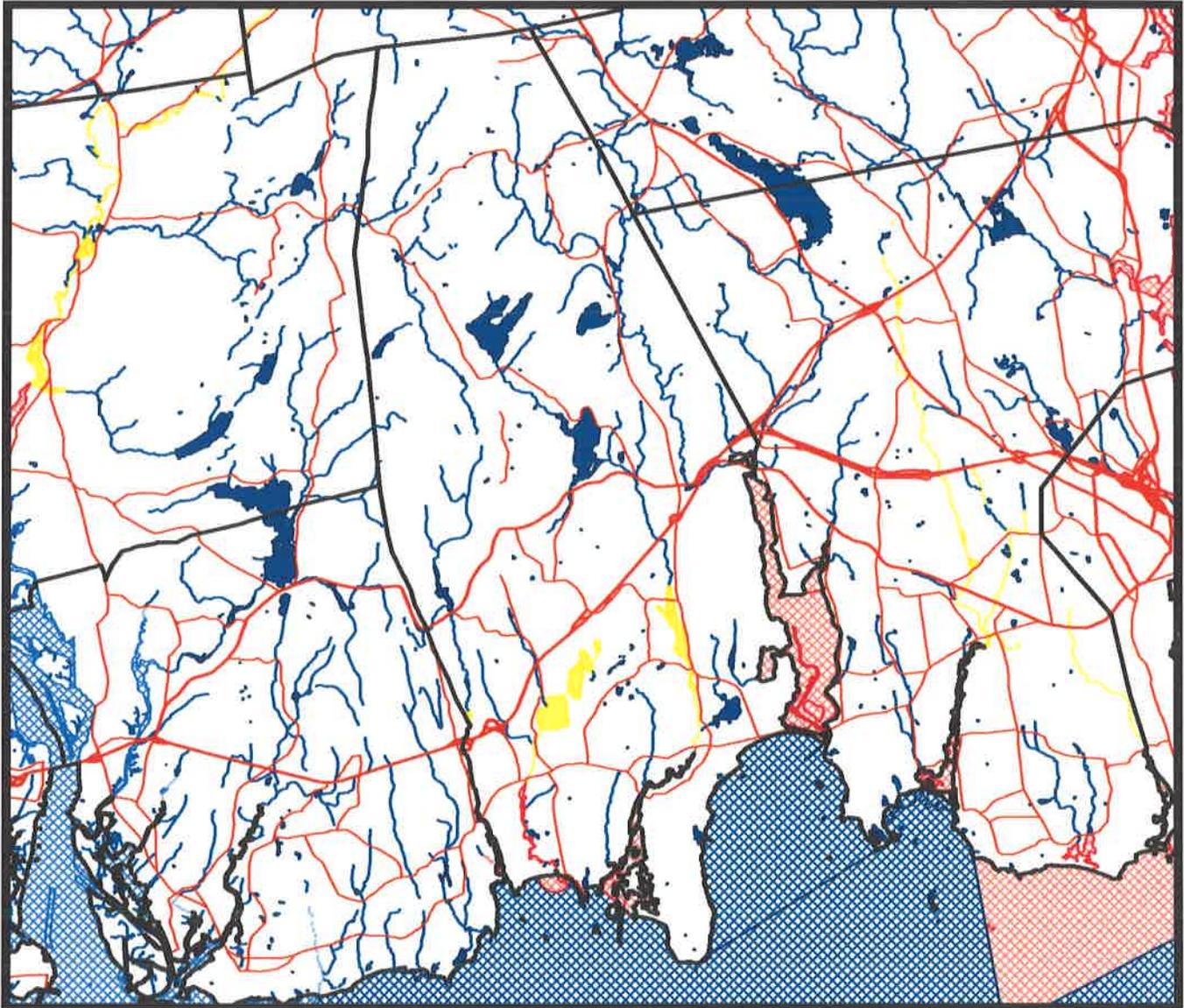
These maps are intended for general information and planning purposes only. They contain no authoritative positional information.



# East Lyme, CT

# Surface Water Quality

## Community Resource Inventory Map Series



### Legend

- Towns
- Primary Route
- Secondary Route

### Surface Water Quality

- Good to excellent natural quality (A, AA)
- Fishable, swimmable (B)
- Natural quality may be threatened (B/A, B/AA)
- Impaired (C/A, C/B, D/B)
- Coastal good to excellent natural quality (SA)
- Coastal fishable, swimmable (SB)
- Coastal impaired



0 0.5 1 2 3 Miles



**More Information:** Visit <http://clear.uconn.edu/projects/cri>

**Data source:** All data layers from CT DEP (<http://dep.state.ct.us/gis/>).

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