

East Lyme Zoning Commission awaits wetlands report on Oswegatchie Hills

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East Lyme — The Zoning Commission closed its public hearing Thursday on Landmark Development's [proposed 840-unit housing complex](#) in the Oswegatchie Hills near the Niantic River, but awaits a wetlands report before issuing a decision.

Thursday's hearing concluded hours of testimony, over the course of three meetings, on the Middletown-based development company's preliminary site plan and proposal to rezone 123 acres in the hills as an affordable housing district.

Intervenors on Thursday called for the commission to deny the application, arguing that it fails to identify a wetland extending from the Oswegatchie Hills Nature Preserve onto Landmark's property.

The developer's attorney, on the other hand, urged the commission to consider in its decision whether public health and safety concerns outweigh the need for affordable housing in town.

Timothy Hollister, Landmark's lawyer, continued to assert that the town's zoning regulations require the developer to only indicate the location of wetlands in the preliminary plan, which designates 36 acres for development and 87 for open space.

A full wetlands review would come when the developer later submitted a final site plan, he said.

The Zoning Commission previously ruled to send the application to the [Inland Wetlands Agency](#) for a report. The Inland Wetlands Agency will review the application at 7 p.m. [Wednesday at Town Hall](#).

Mike Dunn, land acquisition director of the [Friends of the Oswegatchie Hills Nature Preserve](#), said a soil scientist retained by the Friends group had located a wetland that extends onto Landmark's property in the vicinity of where a building would be placed.

He also said he was concerned that parts of the wetland are vernal pools.

The Friends group is an intervenor in the application, along with [Save the River-Save the Hills](#) and [the Connecticut Fund for the Environment](#).

Several residents spoke Thursday, all in opposition of the application. Two middle-school students, Ellie Stetson and Sarah Fulcher, gave a presentation to the commission on the value of preserving the forestland in its natural state.

Landmark's petition is part of a remand order from [New Britain Superior Court Judge Stephen F. Frazzini](#), after Landmark appealed the commission's decision on its 2005 application.

At Thursday's hearing, lawyers for the developer and intervenors held differing views on the judge's order, the level of information needed in the preliminary plan, and the implications of [the Water and Sewer Commission's decision to allocate 14,434 gallons of sewage capacity](#) to the development.

Landmark is appealing the Water and Sewer Commission's decision and is seeking 118,000 gallons.

Recently, Landmark's developer, Glenn Russo, [signed a memorandum](#) of understanding with the town to try to find alternate land to swap for Landmark's property.

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