

# Latest development plan for Oswegatchie Hills calls for 840 housing units

Published March 17, 2015

By Kimberly Drelich

Publication: The Day

**East Lyme** - Following the town's revision of its affordable housing rules two years ago, Landmark Development is now outlining "the parameters" of plans to build a residential complex within the Oswegatchie Hills near the Niantic River.

The Middletown-based company, under developer Glenn Russo, submitted an application to the town this month to rezone 123 acres within the hills into an affordable housing district. The plan designates 36 acres for development and the remaining 87 acres for open space.

The master plan for "Riverview Heights," a multi-family residential complex on Calkins Road, calls for 840 residential units housed within 24 buildings.

The land parcel proposed for rezoning represents more than half of the 236 undeveloped acres in the hills owned by Landmark Development Group LLC and Jarvis of Cheshire LLC. The application does not propose changes for the remaining 113 acres.

The developer's application is the latest step in response to a 2011 state Superior Court ruling in an appeal case brought by the developer after the Zoning Commission denied parts of a 2005 affordable-housing application for the Oswegatchie Hills.

Over more than a decade, Landmark has submitted multiple affordable-housing applications and appealed several town decisions in court.

When the Zoning Commission denied parts of Landmark's affordable application submitted in 2005, Landmark appealed.

As part of the appeal, Superior Court Judge Stephen F. Frazzini remanded the issue in 2011 back to the commission and ordered it to make some revisions to its affordable-housing regulations.

In response to the 2011 ruling, the Zoning Commission revised some of its regulations. It also removed a provision that would require a 150-foot buffer between affordable developments and tidal wetlands, as part of settling an appeal with the developer.

In addition to directing the town to review its zoning regulations, the court also ordered that Landmark set forth "the parameters and infrastructure of its proposed site plan" and show that "the preliminary layout will not have adverse environmental impacts" to help the review of the application under state affordable-housing law, according to Landmark's March 4 application.

Landmark said it's now submitting the application as part of this remand.

The Zoning Commission is expected to receive the application at its meeting Thursday and then schedule it for public hearing at a later date.

Landmark's preliminary site plan for the affordable housing district proposes 408 one-bedroom units, 432 two-bedroom units and 1,767 parking spaces. An affordable housing district requires that at least 30 percent of the units are deeded as affordable, according to state law. The application includes maps, a letter regarding the potential development's impact on traffic and preliminary pollution prevention and stormwater management plan.

Meanwhile, Landmark is also seeking 118,000 gallons of sewage capacity per day for the development and appealing a decision for capacity made by the Water and Sewer Commission. After the commission voted in 2012 to

allocate 13,000 gallons per day to the development, the developer appealed. The state Superior Court judge remanded the case back to the Water and Sewer Commission, and the commission voted last fall to instead allocate 14,434 gallons per day to the development and set forth its reasons for allocating that amount. Landmark is appealing the commission's most recent decision in state Superior Court.