

# Zoning Commission sends Oswegatchie application for wetlands review

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East Lyme — The Zoning Commission ruled Thursday that an application for an affordable housing development in the Oswegatchie Hills must go to the Inland Wetlands Agency for review.

Intervenors, including [the Connecticut Fund for the Environment](#), had urged a review of the proposed development's impact on wetlands. But the developer's attorney objected, saying the review was not appropriate at this stage.

Approximately 100 people attended Thursday's continued public hearing in Nett Hall at Camp Niantic on Landmark Development's application.

The Middletown-based company under developer Glenn Russo [has applied to rezone](#) 123 acres in the hills as an affordable housing district and has submitted an accompanying preliminary site plan for 840 units. The petition follows a [2011 remand order from a state Superior Court judge](#) in an appeals case brought by the developer over the commission's decision on its 2005 application.

Russo recently [signed a memorandum of understanding](#) with the town to try to find other land to trade for acreage in the Oswegatchie Hills, but is continuing the application process.

On Thursday, Landmark's attorney, Timothy Hollister said the application, under the remand order, establishes boundaries for the rezoned district, which he said has been reduced from 236 acres to a maximum of 123 acres. He said the application designates 87 of those acres as open space and 36 for development, and also identifies the location of access routes.

He said the preliminary site plan application specifies the location of wetlands, but a review by the Inland Wetlands Agency isn't needed until the final site plan.

He said the developer is proposing a phased development and doesn't yet know the final sewage capacity — and therefore the development's density — because the sewage capacity is under appeal.

Lawyers for the [Connecticut Fund for the Environment](#), [Friends of the Oswegatchie Hills Nature Preserve](#) and [Save the River-Save the Hills](#) said a review of the wetlands is critical.

Steve Trinkaus of [Trinkaus Engineering LLC](#), who had reviewed the application's stormwater plans on behalf of the Friends group and Save the River-Save the Hills, said the proposed development would cause a "direct adverse effect to wetlands on this site."

More than 10 people, including a representative for Sen. Richard Blumenthal, D-Conn, spoke at the hearing, all in opposition to the proposed development. They raised concerns over traffic, emergency vehicle and school-bus access, the ownership of proposed roads for the development and the environment.

Robert Garofalo, a former board member of the Friends group, read aloud a letter reminding the chairmen of the Zoning Commission and Inland Wetlands Agency that the Oswegatchie Hills have been recommended for open space preservation in the town's plans of conservation and development since 1968.

"It has long been recognized that the steep slopes, composed largely of granite ledge with shallow soil, drain directly into a fragile estuary, and the intense development would further degrade an already impaired water body," he said.

Before the commission made its decision Thursday, Mark Zamarka, attorney for the town, said the commission should consider not only affordable housing law, but also environmental concerns since the [commission has recognized intervenors](#) under the Connecticut Environmental Protection Act.

The Zoning Commission is asking the wetlands agency to report its findings. A continued zoning public hearing is slated to take place at 7:30 p.m. June 18 at Camp Niantic.

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