

**Castonguay, Christine**

---

**From:** Margaret McCutcheon Faber <msmfaber@gmail.com>  
**Sent:** Thursday, March 11, 2021 9:35 PM  
**To:** DeCarli, Jeremy  
**Cc:** Cox, David; Castonguay, Christine  
**Subject:** Re: Long Hill Zone Change Public Hearing

**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x363.

Hi Jeremy,

Thanks so much for your responses to my questions. I have taken a couple of days to digest them and just have a few follow-ups. If you do have any legal opinions you could share regarding any aspect of the parcel in question, I would really appreciate it.

**ZONE CHANGE**

1) I remain concerned about the strip of land that was sold to Belltown by the Greers in 2015. As I understand it zoning runs with the land and this land is zoned R-2. It was not subject to public hearing for a zone change and, if it was, my parents (abutters) were not notified. I would like to understand the legality of re-zoning the land commercial without following the prescribed procedure. Has it legally been changed to commercial and, if so, how?

2) The boundaries of the MHHDC cannot be altered without a 2/3 majority vote of all property owners. I am sure the applicant is aware of this, but just in case not I wanted to mention that there is a protocol that must be followed and it must be initiated by the MHHDC, not a member of the public. The strip of land sold by Greer to Belltown Sports in 2015 remains within the local historic district (and, as far as I can tell, zoned R-2) – despite what any map reads.

\* We had a similar situation several years ago when the MHHDC arbitrarily changed the boundary of the historic district as demarcated by its founders from the center line of the Connecticut River (where it corresponded with the town boundary) to the high water mark on the edge of the river. They did this without going through the statutory procedure for changing the district's boundary, so per the State of Connecticut the actual boundary of the MHHDC remains as submitted in its study report of 1977.

**SUBDIVISION**

1) I remain confused as to why PZC would entertain the subdivision application before it has passed through the MHHDC and received approval. It is likely that the MHHDC would not approve of 8 driveways ("structures"), and may object to 8 new houses at the gateway to the historic district as inappropriate. There is precedent for historic commissions to require lower density, wooded buffers, etc. for new construction in their districts, despite existing zoning laws. I would think that logically, because the MHHDC will have the final say as to what is built on the property it should hear the application first. If you can explain why this is not the case in our town, please let me know.

2) Will the subdivision proposal be subject to the same rules as the zone change proposal? Specifically, will 500' abutters be notified in writing and if 20% of these abutters oppose the subdivision will that force a supermajority vote of PZC? Please would you send me the abutters list with addresses so that I may contact them?

3) The subdivision plans must be submitted to you by March 31<sup>st</sup> at the latest, correct? When they are submitted where will they be posted so that the public can view them?

4) Have you determined if there are wetlands, an aquifer, or any other impediments located in, or that may be impacted by, construction on the parcel? If so, will an application be made to Inland Wetlands?

5) Has the applicant submitted plans, or anything concrete, documenting the buffer zone he has proposed to create to protect the Charles Mary Drive abutters? Have shifts in specific property lines been proposed? I have advised the abutters to ask for a "purchase agreement" or "promise to sell" that is legally enforceable prior to the April 7<sup>th</sup> hearing. It troubles me that the applicant essentially bribed these citizens – they promised not to oppose the zone change in exchange for *possibly* purchasing land to buffer their properties. While I would argue that coercion of this type is unethical, is the tactic legal, as far as you know?

#### GENERAL

1) As you are aware we currently have a very strong petition opposing the zone change, which I will submit to you the day before the hearing (April 6<sup>th</sup>). I assume all letters of opposition should be submitted that day as well? I want to maximize the probability that commissioners will actually read our correspondence, so if you think it should be submitted to you prior please let me know the best date.

2) Must we sign up in advance of the PZC meeting if we wish to speak?

Thank you very much again for your time and attention to my concerns. A solid understanding of land use law and procedures is essential in this complicated case and your knowledge (and willingness to share it) is invaluable.

Margaret

On Tue, Mar 9, 2021 at 2:35 PM DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)> wrote:

Hi Margaret,

Please note that the flowchart is a guide for homeowners and is only meant to represent all of the different entities a project may need to pass through.

I've gone through both the local ordinance and the statute and I do not see anywhere that the MHHDC has any authority over zone changes or subdivisions. Sec 7-147c(j)(6) gives them the authority to **"comment on all applications for zoning variances and special exceptions where they affect historic districts."**

This does not appear to include either a zone change or a subdivision of property as neither of those functions are a variance or special exception. There is clear language in the Statute regarding parking under Section 7-147d(d) which is

reflected in the local ordinance. It states that “no area within an historic district shall be used for industrial, commercial, business, home industry, or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved...” This aligns with our past practices in sending parking in front of the MHHDC.

As we know, the MHHDC is a separate and distinct regulatory body. Applications to ZBA or PZC are not referred to MHHDC, rather, in an instance where a CoA is required first, the PZC is held up until a CoA is approved. The PZC has seen this twice in the last few years at Cobalt Lodge.

The construction of individual building lots and parking areas visible from the public way requires a CoA, but that would happen after the initial PZC review and potential approval. Without the subdivision, there are no building lots.

That all said, CGS Sec 7-47(j)(5) states that the Commission may “cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation”. I would opine that this language allows the MHHDC to comment to the PZC on either of the applications but does not require their approval. The PZC has an interest in historic preservation as evidenced in the Plan of Conservation and Development.

If you have any other questions, please let me know.

Jeremy

**Jeremy DeCarli, AICP, CZEO**

Planning & Zoning Official

Town of East Hampton

1 Community Drive

East Hampton, CT 06424

T: 860-267-7450

E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)

[www.easthamptonct.gov](http://www.easthamptonct.gov)

**From:** Margaret McCutcheon Faber <[msmfaber@gmail.com](mailto:msmfaber@gmail.com)>

**Sent:** Friday, March 5, 2021 6:00 PM

**To:** DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)>

**Subject:** Re: Long Hill Zone Change Public Hearing

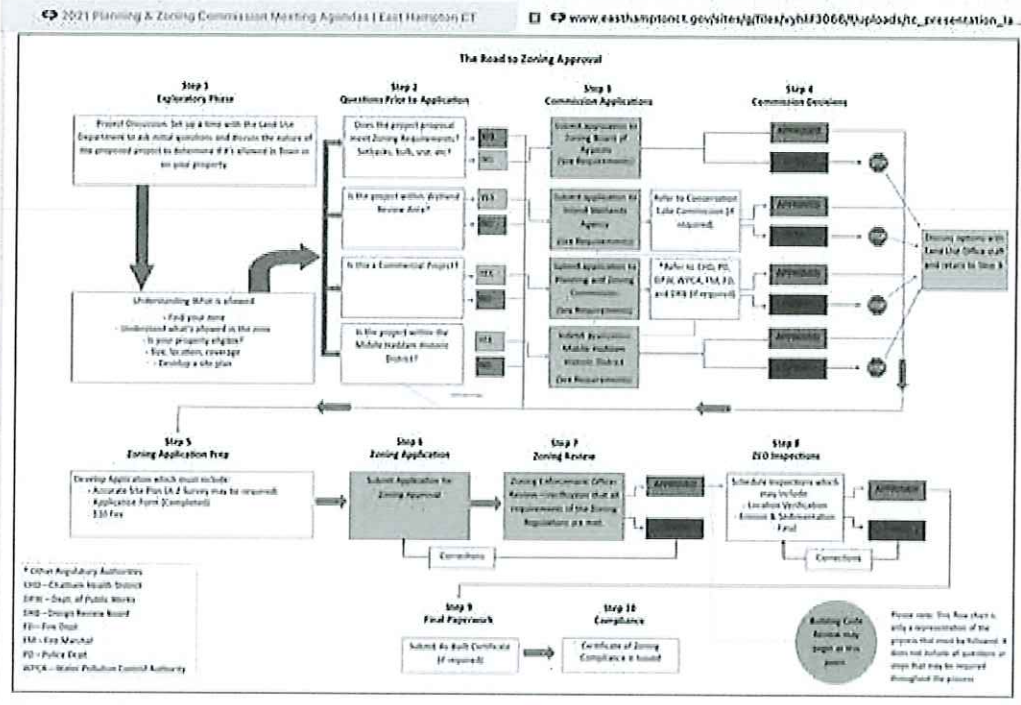
**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x363.

Hi Jeremy,

I hope that you are having a good weekend, so far. I am just wondering if you have made a determination as to whether or not the MHHDC must approve of a zoning change within the district, or subdivision plans, prior to a hearing at PZC. I think per statute the MHHDC takes an advisory role re. the zoning change, but I am not sure about the subdivision. I do know that the MHHDC approved the Highpoint Development in Middle Haddam ONLY because it was not visible from a public street, way or place (my mother was on the commission at the time). We have that as precedent. So...I am wondering if Wayne Rand's subdivision plan (or indeed the subdivision at all) must pass through the MHHDC prior to being heard at PZC? Please let me know, when you get a moment. Below is the flow chart that seems to show that MHHDC approval is needed - but I look forward to your input. Thanks -

Margaret



W.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

All the best,  
Margaret

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

## Castonguay, Christine

---

**From:** DeCarli, Jeremy  
**Sent:** Tuesday, April 06, 2021 4:09 PM  
**To:** Castonguay, Christine  
**Subject:** FW: Opposition to Application PZC-21-009: Long Hill Estates, LLC., for a Seven (&) Lot Subdivision on Long Hill Road and Request for Impact Studies Prior to Consideration by PZC.  
**Attachments:** Waterfall, spring and stream at 53 LHR.jpg; Stream flowing through 53LHR.jpg; Stream heading west through 53LHR.jpg; Stream flowing toward Route 66.jpg; Stream flowing past 51 LHR.jpg; 51 LHR.jpg

Jeremy

**Jeremy DeCarli**, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)

---

**From:** Margaret McCutcheon Faber <msmfaber@gmail.com>  
**Sent:** Tuesday, April 6, 2021 4:06 PM  
**To:** DeCarli, Jeremy <jdecarli@easthamptonct.gov>  
**Subject:** Opposition to Application PZC-21-009: Long Hill Estates, LLC., for a Seven (&) Lot Subdivision on Long Hill Road and Request for Impact Studies Prior to Consideration by PZC.

### CAUTION:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x3363.

6 April 2021

TO: Members, Planning and Zoning Commission

**RE: Opposition to Application PZC-21-009: Long Hill Estates, LLC., for a Seven (&) Lot Subdivision on Long Hill Road and Request for Impact Studies Prior to Consideration by PZC.**

Dear Jeremy,

I am writing to oppose Application PZC-21-009 that will be considered under "New Business" at the 7 April 2021 regular meeting of the Planning and Zoning Commission and register my concern that the PZC is acting prematurely by accepting this application. I am also requesting that due to significant community concern the following take place prior to the application's public hearing, in recognition that East Hampton's Plan of Conservation and Development (POCD) prioritizes the protection of natural and historic resources.

- 1) That the project be fully approved by the Inland Wetlands and Watercourse Agency, recognizing that an active spring-fed stream runs through the property and spills onto Long Hill Road, where it is carried downhill via a drainage ditch and culverts that flood during rainstorms, the spring thaw and other wet times of year (photographs attached).
- 2) That per the open space disposition factors outlined in East Hampton's subdivision guidelines 5% (or more) of the parcel is designated as open space by the Conservation-Lake Commission, along with a right of way at least 25 feet wide, and that this easement is clearly defined on the site plan map.
- 3) That the applicant solidify his intentions to transfer land as a buffer to residents on Charles Mary Drive and that these lot line adjustments be made on the site plan to reflect the actual subdivision under consideration.
- 4) That the full subdivision plan, plus actual plans for each building proposed (architectural drawings, elevations, specifications, a materials list, etc.) be furnished to the Middle Haddam Historic District Commission for a Certificate of Appropriateness prior to being considered by the Planning and Zoning Commission, in recognition of the fact that the development may have a negative impact on the historic integrity of the Middle Haddam Historic District and that land-use boards should work together in good faith to achieve the objectives of East Hampton's POCD and mitigate harmful effects.
- 5) That the Commissioners evaluate the likelihood of the applicant installing a parking lot upon "lot 1" of the subdivision, recognizing the presence of a brook and wetlands, and that the PZC seek the input of Inland Wetlands and the Conservation-Lake Commission, as well as the Middle Haddam Historic District Commission prior to hearing the application so that it is not engaging in a speculative re-zoning exercise.
- 6) That an impact study be performed on traffic resulting from the site. Long Hill Road is a narrow rural country road that cannot support the increased load of traffic from seven additional households, plus a potential parking lot. Access onto Route 66 for the additional traffic without the installation of traffic lights would be ill advised and logistically problematic.
- 7) That an impact study be performed to understand the impact of surface water drainage down seven paved driveways onto Long Hill Road.
- 8) That an impact study be performed on the water supply as 51 Long Hill Road has suffered deleterious effects on its well since the development at Charles Mary was installed. The negative impact of an additional seven households on area wells deserves investigation before seven additional wells are approved.
- 9) That an impact study on the environmental effects of installing seven distinct septic systems on the site be performed and approval granted by the Water Pollution Control Authority.

Thank you for considering my concerns –

Sincerely,

Dr. Margaret McCutcheon Faber

Middle Haddam

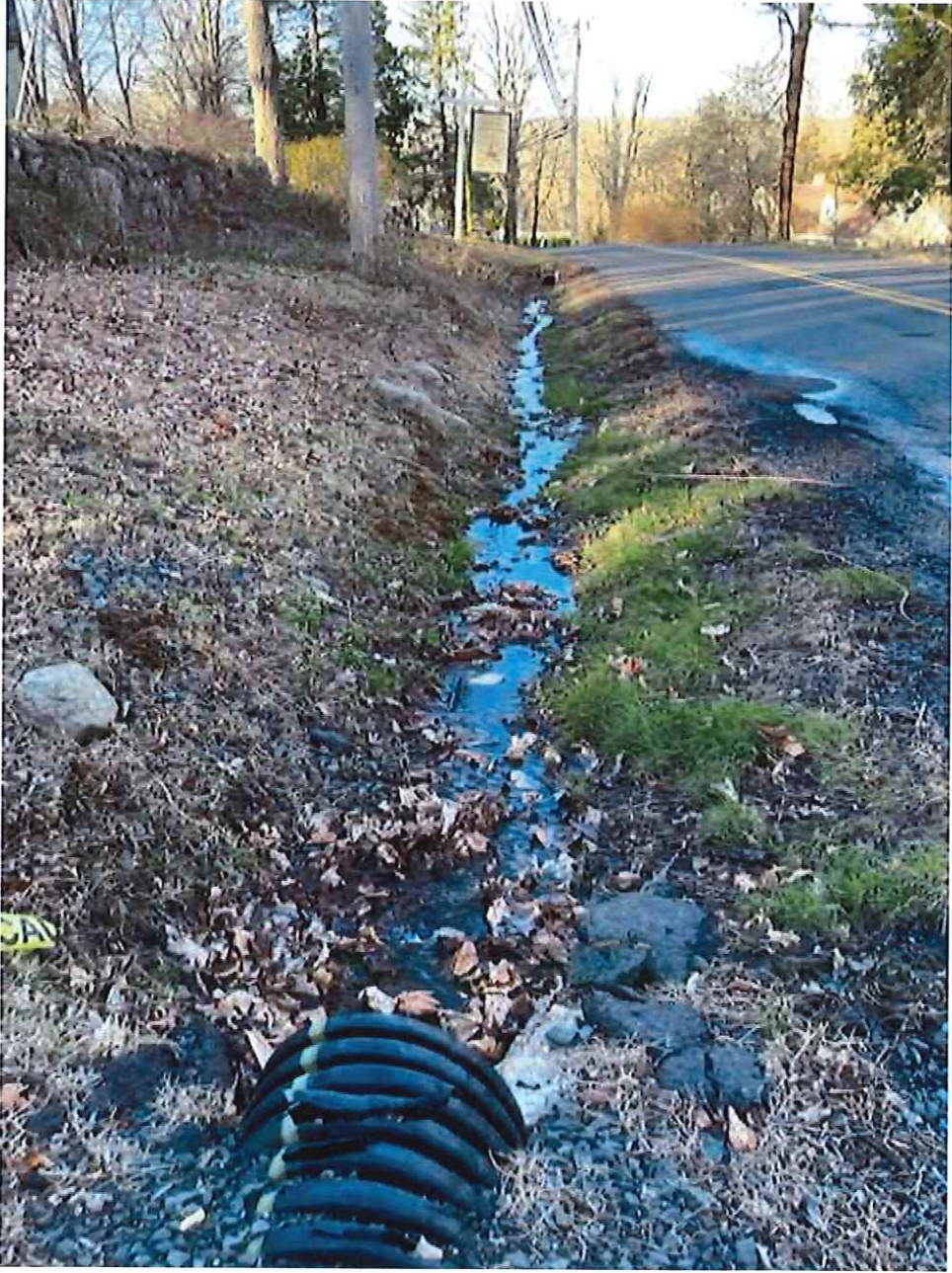
(While I currently serve on Connecticut's Historic Preservation Council I am submitting this correspondence as a concerned resident of Middle Haddam).

Attached: Six photographs of watercourse and wetlands originating at 53 Long Hill Road.

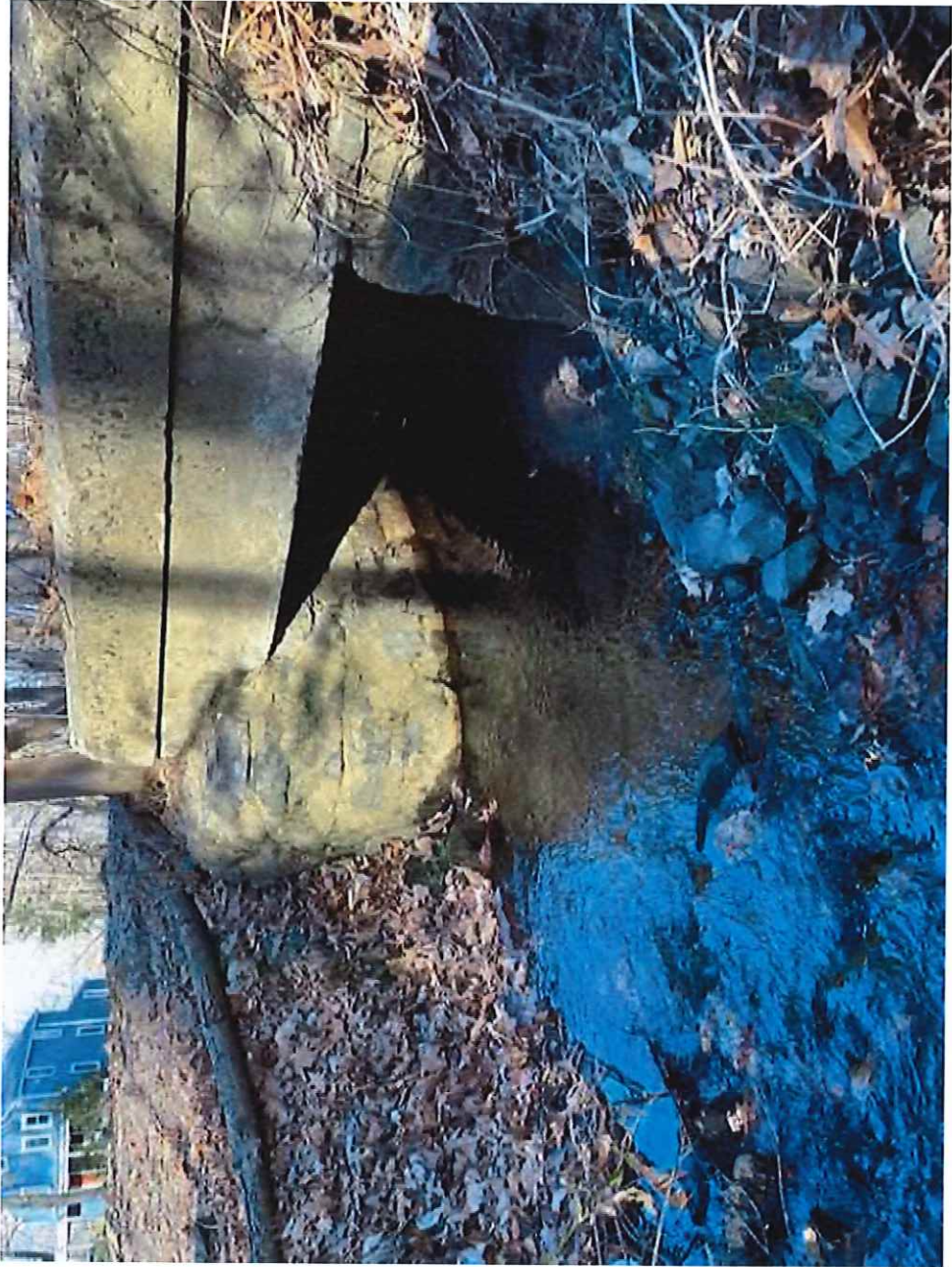
This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

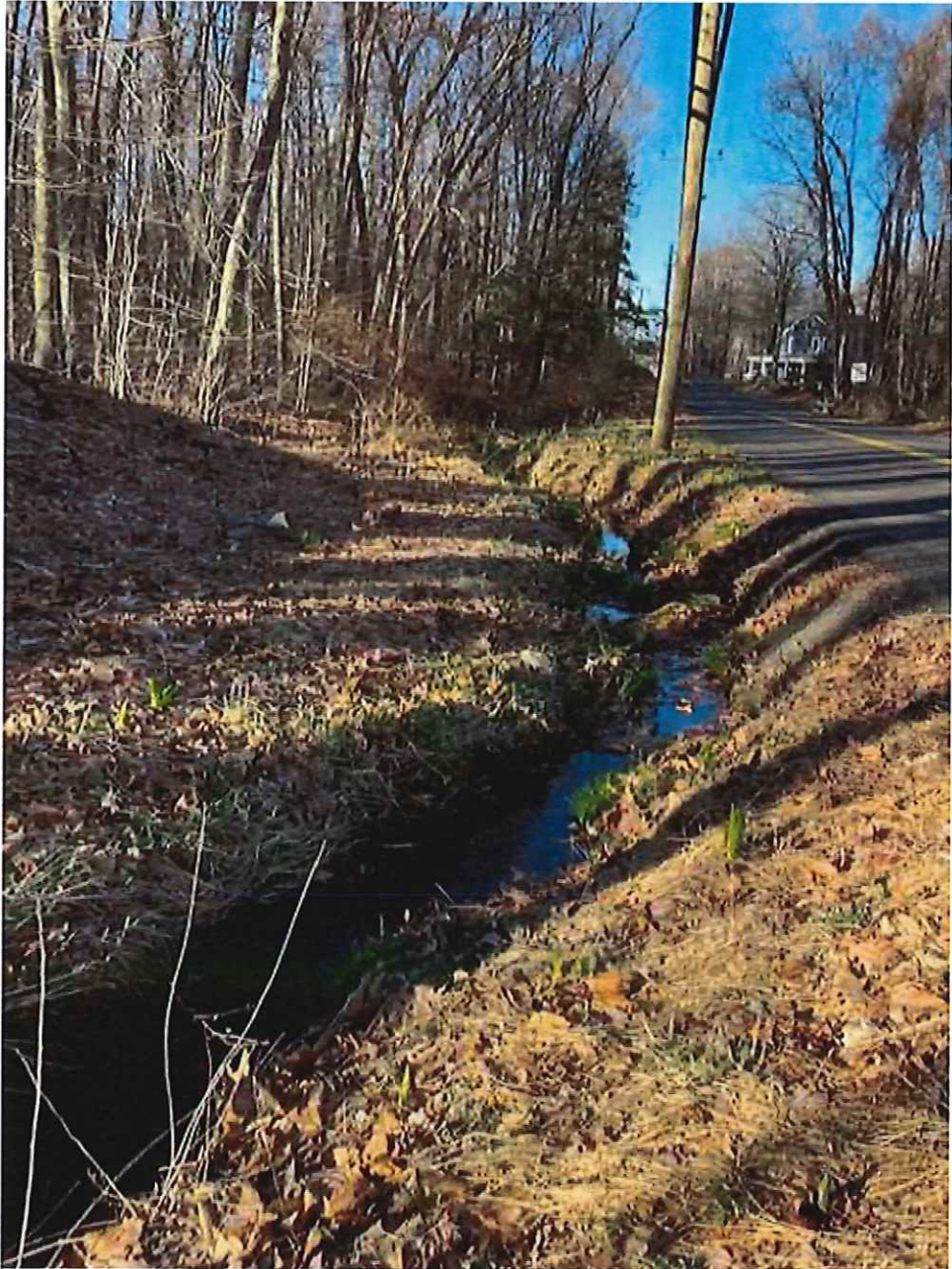
This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

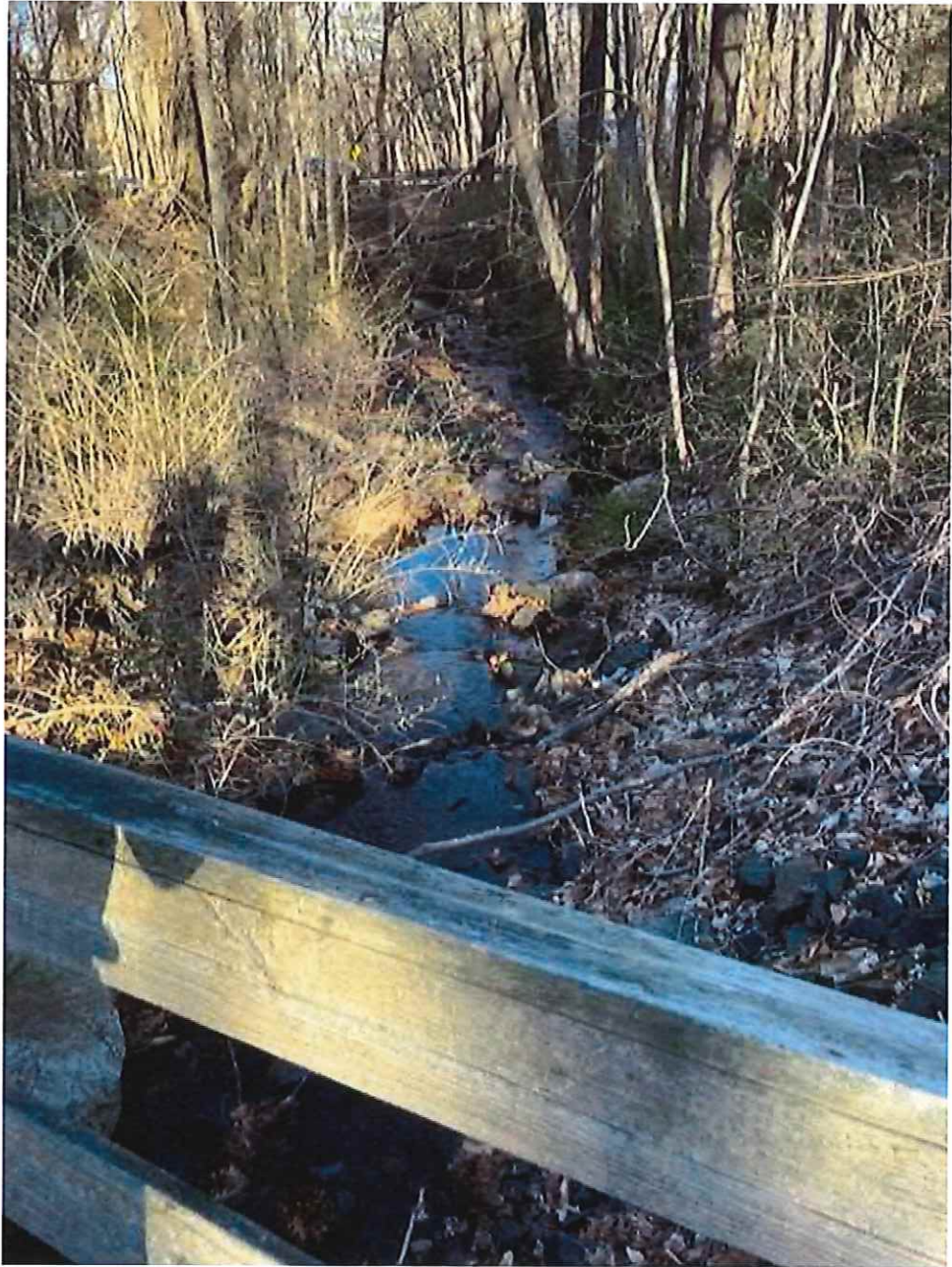














## Castonguay, Christine

---

**From:** DeCarli, Jeremy  
**Sent:** Wednesday, April 07, 2021 10:23 AM  
**To:** Castonguay, Christine  
**Subject:** FW: Application PZC – 21 –009

Jeremy

Jeremy DeCarli, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)



-----Original Message-----

**From:** Rita C Gibbons <[ritacgibbons@gmail.com](mailto:ritacgibbons@gmail.com)>  
**Sent:** Wednesday, April 7, 2021 9:01 AM  
**To:** DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)>  
**Subject:** Application PZC – 21 –009

**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x3363.

I am writing as a former Middle Haddam resident, now living in East Hampton, to share my concern for the proposed Long Hill Estates coming before you Wednesday, April 7th.

My concerns include:

Disturbances to:

- \*The open land proposed for building
- \* Wetlands impact, possible water runoff onto neighboring property and Long Hill
- \* Wildlife impact by disturbing woods

Traffic:

- \*The wear and tear of additional vehicles on Long Hill Rd.
- \* Traffic on the road as well as difficulties accessing the road especially from Rte 66 but also including exiting onto Rte 151
- \* Driveways posing risks as cars pull in and out, especially from the little Long Hill Rd
- \* Concern for those walking on the road

Style of new homes:

- \* The cookie cutter look of the proposed homes Future Issues:

\* Continued concern for a zone change proposal in the future allowing the integrity of the Historic District to deteriorate in Middle Haddam

Rita Coughlin Gibbons

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.



## Castonguay, Christine

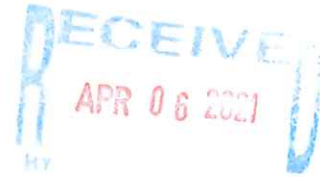
---

**From:** DeCarli, Jeremy  
**Sent:** Tuesday, April 06, 2021 9:55 AM  
**To:** Sheila Daniels  
**Cc:** Castonguay, Christine  
**Subject:** RE: Applications PZC-20-026 and PZC -21-009

Will do. I did not read through the letter and saw your reference to PZC-20-026 in the email. I'll make sure it is included with 21-009.

Jeremy

**Jeremy DeCarli**, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)



---

**From:** Sheila Daniels <[scd5258@gmail.com](mailto:scd5258@gmail.com)>  
**Sent:** Tuesday, April 6, 2021 9:50 AM  
**To:** DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)>  
**Subject:** Re: Applications PZC-20-026 and PZC -21-009

### CAUTION:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x3363.

Good Morning Jeremy,  
Thank you for your email.

Please share my letter with the P&Z Commission for meeting discussions application PZC - 21 - 009 as well as previously the requested PZC - 20 - 026 application item.

I understand the latter item requesting a change of zoning has been removed from the meeting agenda, however the subdivision item is a topic of discussion on Wednesday evening's agenda. As you can see, my letter pertains to both items and I've acknowledged within it my awareness that the former item has been pulled from the mtg agenda, therefore, I'd like it to be included in Wednesday's meeting materials and any meetings thereafter that discuss either application item. Please confirm that will be the case.

Thank you.  
Have a good day.  
Sheila

Sent from my iPhone

On Apr 6, 2021, at 8:09 AM, DeCarli, Jeremy <jdecarli@easthamptonct.gov> wrote:

Received.

The application has been withdrawn and will not be discussed on April 7, but we will hold onto this in the event a new application surfaces in the future.

Jeremy

**Jeremy DeCarli**, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)



---

**From:** Sheila Daniels <[scd5258@gmail.com](mailto:scd5258@gmail.com)>  
**Sent:** Tuesday, April 6, 2021 12:00 AM  
**To:** DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)>  
**Subject:** Re: Application PZC-20-026: Zone Change - Long Hill Road

**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x3363.

Good Day Jeremy,

Please find attached my letter to the E.H. P&Z Commission regarding the Long Hill Road Estates proposal on their April 7th meeting agenda.

Please share this letter with the entire P&Z Commission and make sure it is included in the meeting materials for Application #PZC 20 - 026 and all subsequent meetings or discussions pertaining to that mentioned application.

Thank you for your assistance in this matter.

Take care,

Sheila Coughlin Daniels

On Mon, Apr 5, 2021 at 1:32 PM DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)> wrote:

Good Afternoon,

This email is to inform you that Application PZC-20-026 for a zone change from R-2 to Commercial for a 1.5 acre lot on Long Hill Road has been withdrawn by the applicant and therefor will be removed from the April 7, 2021 PZC meeting agenda.

Please feel free to pass this email on to those that I may have missed.

Jeremy

**Jeremy DeCarli**, AICP, CZEO

Planning & Zoning Official

Town of East Hampton

1 Community Drive

East Hampton, CT 06424

T: 860-267-7450

E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)

[www.easthamptonct.gov](http://www.easthamptonct.gov)



This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

## Castonguay, Christine

---

**From:** DeCarli, Jeremy  
**Sent:** Wednesday, April 07, 2021 11:49 AM  
**To:** Castonguay, Christine  
**Subject:** FW: Long Hill Estates

See my responses to her questions below (this is Bernice's sister). You may need them in the event you get a call while I'm out of the office.

Jeremy

**Jeremy DeCarli**, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)

---

**From:** DeCarli, Jeremy  
**Sent:** Wednesday, April 7, 2021 11:48 AM  
**To:** Sheila Daniels <[scd5258@gmail.com](mailto:scd5258@gmail.com)>  
**Subject:** RE: Long Hill Estates

See responses below in red.

Jeremy

**Jeremy DeCarli**, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)

---

**From:** Sheila Daniels <[scd5258@gmail.com](mailto:scd5258@gmail.com)>  
**Sent:** Wednesday, April 7, 2021 11:41 AM  
**To:** DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)>  
**Subject:** Re: Long Hill Estates

**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x3363.

Good Morning Jeremy.

I was surprised to see an 8th house has been added to the Long Hill Estate plan and posted on the meeting info for this eve's meeting.

Are additions or amendments to existing materials allowed at such late a date because the existing materials were already received before the 3/24 deadline? Yes. There was a procedural error and the now eighth lot should have been included from the outset. This also relates to the withdrawal of the zone change application. I will make a statement about that at the beginning of the meeting tonight. The application has not officially been accepted yet. The 3/24 deadline is set internally to give us time to do paperwork and is not tied to any enforceable requirements. The agenda must be published by 24 hours prior to the meeting with the accurate information, which it was.

In addition; I'm wondering if the applicant would need to supply updated materials that include the 8th additional home? For instance the piece of info pasted below applies to the 7 home plan not the new plan for 8 homes. Yes. The plans will need to be modified, which can continue up until the public hearing is closed.

I'm also curious as to why my letter was not added to the materials? We have not been able to keep up with the huge volume of letters we've received. As a matter of process, public comments are not officially entered into the record until the public hearing is opened. We do our best to make them available prior to the meeting, but with the limited staff and amount we've received, we haven't been able to keep up. That said, all letters and all other materials will be available within 48 hours after the meeting in accordance with the Executive Order.

I look forward to hearing from you in an effort to clearly understand what has transpired most recently. Thank you!  
Sheila

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

	Tolerates warm temperatures and droughty conditions.
	Hardy plant that will reseed itself and is good as a green manure crop.
	Warm-season perennial. May bunch. Tolerates hot, dry slopes, acid infertile soils. Excellent nurse crop. Usually winter kills.
	Suitable for all conditions.

moisture is adequate or can be irrigated. Fall seeding may be extended

soils.

ding mixture requirements.

to be obtain a broader time period of use in combinations, reduce seed.

## APPLICATION DATA

of 18.9 acres of land into a 7 lot single family

as Sipperly Certified Soil Scientist on November 14, 20

wetlands soil proposed with this application. The soils within the 100' upland zone are . The regulatory measures control measures during construction are furnished .

## SOIL INTENT

TO MINIMIZE THE MOVEMENT OF MATERIAL INTO ADJACENT MORE OF THE FOLLOWING:

E. ONCE EXCAVATION OR FILL HAS BEEN COMPLETED AND E IS READY, PROVIDE SOME TYPE OF GROUND COVER AS TEMPORARY SEEDING, OR PERMANENT SEEDING. SLOPES SOON AS FORMING IS COMPLETED.

NG OR JUTE MESH WILL BIND THE SOIL BY ABSORBING AND IS AND MINIMIZING EROSION.

IN THE BOTTOM OF SWALES TO SLOW VELOCITY OF THE HIS ALSO SETTLES OUT MANY OF THE FINE SILTS. SEE TAILS. CONTROL OF SHEET FLOW.

REQUIRED, WILL CONTROL SHEET FLOW AS LONG AS THE CASES, WHERE THE FLOW IS GREAT ENOUGH, THE FENCE TO PROVIDE STRENGTH AGAINST THE FENCE TIPPING OVER ED SILT SHOULD BE PERIODICALLY CLEANED FROM IN FRONT

IT IS NOT POSSIBLE, BUT BY CAREFUL APPLICATION OF THE WITH CONTRACTOR CONSIDERATION WITH APPROPRIATE

To: Members of the Inland Wetlands and Watercourse Authority

**Correspondence for the 28 April 2021 regular meeting of the IWWA – Opposition to Application #IW-21-008**

53 Long Hill Road is a highly sensitive property on myriad levels.

It is historically important being located within the Middle Haddam Historic District, parts of which are listed on the National Register of Historic Places. It sits adjacent to the former Hebron-Middle Haddam Turnpike, established in 1803, now the narrow rural Long Hill Road. This wooded property serves to buffer the district from the noisy and busy Route 66, serving as a scenic gateway to the village of Middle Haddam.

In addition, this +/-18 acres is environmentally important and protecting the site's natural resources must be adequately addressed. The narrative presented to the Inland Wetlands and Waterways Authority referenced a small intermittent watercourse that originates from the Charles Mary storm water detention system. Having lived adjacent to this property for most of my life I would argue that this determination is incorrect and that the environmental disturbance has been grossly understated to IWWA.

The stream running through the property is both perennial and significant. While storm water may feed into it, the stream is primarily fed by a spring and that spring flows year round. My parents used to fill our pool with the water that flows from the stream down Long Hill, in front of our house (#51).

A culvert under Long Hill Road to accommodate the watercourse has been there for at least 70 years (probably since the road was created in 1803 as the Hebron-Middle Haddam Turnpike) to allow the watercourse to pass. It was NOT constructed as a result of any water discharged from Charles Mary, thus proving the existence of the stream prior to the installation of this development. The stream is naturally occurring, has always been there, is accommodated by the bridge/culvert and is significant.

In addition, there is an underground spring on the property that was not mentioned in soil scientist James Sipperly's report. Until relatively recently this spring served as a public water source where people would collect drinking water in great volumes, from a cistern that is still brimming with water.

While Sipperly reports that there is "no wetland disturbance proposed with the application" I believe the disturbance for 8 building lots in and around a wetland, with 7 paved driveways, will have a negative impact on this environmentally sensitive parcel and must be mitigated. The stream, spring and historic cistern that was utilized by the public for so many years should be noted and measures taken to protect them.

In addition, my parent's well at 51 Long Hill Road has been severely impacted by the Charles Mary development above them. An additional eight houses next door with a septic system on the first lot that appears from the elevation map to be above their well, causes great concern.

The community feels strongly that additional impact studies are in order, including:

- 1) A study that will determine the impact of surface water drainage down seven paved driveways onto Long Hill Road.

2) A study of the water supply to determine the impact of an additional eight households on area wells.

3) A study of the environmental effects of installing eight distinct septic systems on the site.

We have 300 signatures to a growing petition opposing the application on the basis that it does not conform to East Hampton's Plan of Conservation and Development's commitment to preserve and protect natural and historic resources. We therefore urge you to undertake the additional research requested and conduct a site visit prior to entertaining application #IW-21-008.

If you would like a guided tour of the site and the wetlands, watercourses and spring, neighbors would be happy to conduct you, with permission of the owner.

Thank you for considering my concerns –

Dr. Margaret McCutcheon Faber  
Middle Haddam

Attached: Photographs of the wetlands, stream, spring and cistern on the 53 Long Hill Property





04/06/2021



07/06/2021



04/06/2021



CAI

03/06/2021



03/06/2021



ENTERING  
MIDDLE  
HADDAM  
HISTORIC  
DISTRICT

04/06/2021



04/13/2021







RESTRICTED LIABILITY LIMITED  
USE RESTRICTED

04/13/2021

## Castonguay, Christine

---

**From:** DeCarli, Jeremy  
**Sent:** Tuesday, May 04, 2021 10:48 AM  
**To:** Castonguay, Christine  
**Subject:** FW: For public comment on Long Hill subdivision application

Jeremy

**Jeremy DeCarli**, AICP, CZEO  
Planning & Zoning Official  
Town of East Hampton  
1 Community Drive  
East Hampton, CT 06424  
T: 860-267-7450  
E: [jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)  
[www.easthamptonct.gov](http://www.easthamptonct.gov)

---

**From:** Peter Pach <[peterbpach@gmail.com](mailto:peterbpach@gmail.com)>  
**Sent:** Tuesday, May 4, 2021 10:47 AM  
**To:** DeCarli, Jeremy <[jdecarli@easthamptonct.gov](mailto:jdecarli@easthamptonct.gov)>  
**Subject:** For public comment on Long Hill subdivision application

### CAUTION:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x3363.

Dear Mr. DeCarli,

I am submitting this letter for the attention of the Planning and Zoning Commission at its scheduled hearing on April 5 at 7 p.m. on the subdivision application for Long Hill Road.

Thank you.

Peter B. Pach

I am writing to oppose the "Application PZC-21-009: Long Hill Estates, LLC., for an eight (8) lot subdivision on Long Hill Road Map 06/Block 12/Lot 8" as presented.

The location of this proposed subdivision within the Middle Haddam Historic District adds an extra layer of consideration and responsibility to Planning and Zoning Commission's deliberations. The town established the district decades ago in recognition of the village's special historic importance and the need to protect it from careless decisions that would diminish its integrity and value as an asset to East Hampton. Officially delineated

as a place of historic and scenic importance, Middle Haddam is mentioned in East Hampton's plan of Conservation and Development as one of the town's villages worthy of special care.

As the plan of development notes, "Traditional zones have long been recognized as an imperfect tool for controlling the aesthetics of development ..." The existence of the Middle Haddam Historic District creates a layer of protection for visible structural changes within its boundaries and a complementary obligation for the town's other boards and commissions to weigh how their decisions and activities could negatively affect this asset. This means adhering to the Zoning Regulations, which call for "Protecting the character and the historic, social and economic stability of all parts of the Town and ensuring that development is orderly and beneficial." In this case, the powers of the Planning and Zoning Commission can help protect the town's unique historic village.

The boundaries of the district were not casually drawn and were meant to establish a permanent setting for the village's historic buildings, waterways and other physical features. This is not an effort to stop time but, instead, a way to ensure changes within the village embrace its storied past. The plan for building eight houses along the upper end of Long Hill Road appears to have been drawn with no consideration that they will be within the historic district. This is even more important as they would become the first impression for those entering the district on one of its major roadways. Except for a lot bisected by a stream, the homes are laid out on a grid in two rows. There is no sense of a studied placement of the houses into the landscape and no variation in lot or building size, which would reflect the organic placement of the historic houses that are their neighbors. In fact, the applicant spoke at the Historic District's last meeting and said, "We're devoted to, at the moment, to throw seven houses up there and get 'em sold this year." Certainly, East Hampton would object to any development in town being "thrown up." These proposed houses are part of a larger setting and any approval of this project must include the context into which it is being placed so that it doesn't diminish the appeal and value of other properties. Planning and Zoning decisions made as if a property exists in isolation erode piece by piece a broader vision that would serve the town's interest in maintaining its rural characteristics and property values. These 18 acres of land could be developed with well-placed lots of varying sizes that take advantage of the parcel's natural contours, give each house a feeling of privacy, offer prospective buyers a more appealing home and let the developer realize a good return on his investment. The optimum use of the land in terms of sound zoning and the historic district could well be reached by placing fewer homes of different sizes.

As more and more of East Hampton is being carved up for homes and businesses, preserving the town we know and shaping the town it is becoming requires more effort and resolve. This means enforcing standards and making decisions that protect its unique characteristics and serve all its citizens. The temptation to let things slide or fall short of the town's long-term best interests can be strong. The Planning and Zoning Commission must remain the town's vigilant watchdog adhering to the purpose stated in the zoning regulations: "Protecting and conserving the value of land and buildings appropriate to the various zones established by these Regulations and throughout the Town."

This case requires a principled decision, which is to reject the subdivision as presented, without prejudice, and offering the applicant the opportunity to return with plans suited to the location and its surroundings. To seek anything less would leave a scar on this historic landscape for generations.

Yours,

Peter B. Pach  
59 Middle Haddam Road,  
Middle Haddam, 06456

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A copy of this message and any reply will be retained by the Town of East Hampton and will be accessible to the public unless exempted by law.

This electronic message is a public record as defined by the Connecticut Freedom of Information Act Section 1-200(5). A

3 May 2021

TO: The East Hampton Planning & Zoning Commission

RE: **Opposition** to application PZC 21-009 to be included for the record of the May 5th, 2021 Planning & Zoning Commission meeting and all subsequent meetings concerning this application.

Tonight we have presented 304 signatures to a petition, along with comments, opposing application PZC-21-009 for an 8-lot subdivision with 7 driveways within the Middle Haddam Historic District, parts of which are listed on the National Register of Historic Places. Most signatories are current or former tax payers to the Town of East Hampton. Multiple letters of opposition have also been received, including several from property abutters, demonstrating that the application should be denied by your commission.

I concur that the application should be rejected for myriad reasons, but primarily it is inconsistent with East Hampton's Plan of Conservation and Development (POCD), which prioritizes the preservation of the town's rural small-town character by "**protecting historic and scenic resources.**"

Approving an 8-lot subdivision of cheaply-designed virtually identical vinyl houses with 7 driveways at the gateway to the local historic district, would significantly detract from its integrity and "rural district" character, as classified by the State of Connecticut.<sup>1</sup> People enter the district expecting it to look historic and the density and style of this development will negatively impact its integrity, charm and cohesiveness.

In addition, it is inconsistent with the intentions of the Middle Haddam Historic District Commission Study Committee that created the district to "preserve and protect the historic and architectural integrity of the village, by implementing a control mechanism to prevent commercial intrusion and ensure that its character is not compromised." Setting the boundaries of the district were controversial and discussions spanned several years (1974-1977), culminating in a lawsuit that resulted in the 53 Long Hill Road parcel being included within the local historic district boundaries in order to prevent the very scenario that you are considering this evening.

Further, after living on the neighboring property for over 30 years I would argue that the soil scientist's determination of environmental disturbance has been vastly understated to the Inland Wetlands and Watercourses Agency. My written concerns, request for a site inspection, petition and time-stamped photographs of water cascading off the property and filling the cistern that was an historic public water source, were not relayed to the IWWA by the town authorities prior to the commission's last meeting at which the subdivision plans were approved based on arguably inadequate data with no site inspection and no public input.

---

<sup>1</sup> "District Character: Rural Village" (<http://lhdct.org/district/middle-haddam-historic-district>).

Currently the parcel's nearly 18 acres of woodland serves to buffer the District from the busy commercial and industrial Route 66 corridor, consistent with the POCD's priority of retaining open space, natural resources and scenic beauty.

As land-use officials charged with the implementation of East Hampton's Plan of Conservation and Development, you are stewards of our collective heritage, responsible for protecting our town's community character. The picturesque village of Middle Haddam, with its antique buildings, stone walls, watercourses, fields, woodland and archaeological remains, some of which date from over 300 years ago, is worthy of protection. Please vote NO to application PZC 21-009 and help us to preserve our vulnerable historic, scenic and natural assets for future generations.

Thank you for considering my concerns –

Sincerely,

Dr. Margaret McCutcheon Faber

Middle Haddam

(While I currently serve on Connecticut's Historic Preservation Council this letter is mine alone and does not necessarily reflect the opinion of the Council or the State of Connecticut.)

4 May 2021

TO: Planning and Zoning Commission Members

RE: Opposition to Application PZC-21-009

We have lived at 51 Long Hill Road since the early 1960's as direct abutters to the parcel under consideration at 53 Long Hill Road. We have significant experience with the parcel under consideration and are concerned about the process this application has followed, as well as its suitability to the site it is proposed for.

First of all, we were NOT adequately informed of the public hearing you are holding this evening. Your Subdivision Regulations section IV "GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND #10 state: "The applicant must notify all abutting property owners by certified mail on a form provided by the Commission at least fifteen (15) days prior to the public hearing." We were not notified until April 29<sup>th</sup>, 2021 – just five days prior to tonight's public hearing- and the mail was not certified.

Second, the density of the development is problematic. Even if the developer meets the minimum requirement for land lot size, the impact of 8 generic synthetic houses with 7 driveways, all of the same vintage, within the boundaries of the Middle Haddam Historic District will have a negative impact upon its character. A reasonable person could deduce that, while legal, the proposed development is inconsistent with the intentions of the Plan of Conservation and Development. Most would concur that new construction in the Middle Haddam Historic District should be low in density, high in quality and custom-built.

Also, we are concerned that the boards and commissions considering and acting upon this proposal are not adequately informed. At the last PZC meeting concerned residents requested that you require several impact studies to be conducted by impartial third parties prior to your consideration of the application, which to our knowledge have not been undertaken. These include:

- 1) A traffic study to determine the impact of additional traffic on Long Hill Road, a narrow rural country road that was the Hebron-Middle Haddam Turnpike, established in 1803, as well as access on to Route 66, which is already overburdened.
- 2) A study that will determine the impact of surface water drainage down seven paved driveways onto Long Hill Road. It is our experience that the water runoff creates a hazardous condition across our driveway and the roadway. There is almost a constant flow of water and we historically would fill our swimming pool with it.
- 3) A study of the water supply to determine the impact of an additional eight households on area wells. Our well was severely impacted by the Charles Mary development and additional draw on the water supply is worrisome.
- 4) A study of the environmental effects of installing eight distinct septic systems on the site, at least one of which appears to be elevated above our well at 51 Long Hill Road.

5) A review of the parcel by a soil scientist not affiliated with the developer, correction of any incorrect or inadequate findings presented to Inland Wetlands, and a site-walk inspection by IWWA, as well as the Conservation Lake Commission.

Without data from these studies and research, how can you perform your due diligence and make a decision on the application before you?

It is our hope that you will be guided by the Plan of Conservation and Development this evening and will vote against application PZC-21-009, as presented.

Sincerely,

Ronald and Lois McCutcheon  
51 Long Hill Road  
Middle Haddam