



Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074
TELEPHONE (860) 644-2511

March 3, 2008

PLANNING AND DEVELOPMENT COMMITTEE

RE: RB 5641: AN ACT CONCERNING CONSERVATION DEVELOPMENT

The State Plan of Conservation & Development (the Plan) is used by State agencies in a manner that it was never intended to be used. The Plan consists of two separate but equally important parts: the Locational Guide Map AND State Action Strategies. The Locational Guide Map is based on the best available information that covers the whole state. By its very nature, that statewide data is imprecise. In spite of the lack of precision, the Locational Guide Map is now applied on a property by property basis at the local level as if the data had a much higher precision than it actually has. This application has resulted in, and continues to result in, municipalities being penalized within a variety of state funding programs.

South Windsor is a town that carefully plans its future. Our first Plan of Development was prepared in 1959, followed by updates in 1968, 1977, 1979, 1987, 1994 and 2002. An Open Space Master Plan was prepared in 2001 and updated in 2005. An Agricultural Preservation Master Plan was prepared in 1987 and updated in 1996. Zoning maps have been prepared and updated since 1938, and all of the master plans have been used as references. The Town owns upwards of 1600 acres, most of which was specifically acquired to become preserved open space. We have protected our entire meadowlands along the Connecticut River—an area of very high quality farmland that is actually extensively farmed.

Having discovered in 2002 that the Plan was being applied with property-by-property specificity, the Town of South Windsor followed the statutory procedure when the Plan was updated in 2003. The Town requested a major update to try to correct the imprecise data for South Windsor. OPM to its credit was quite responsive; however, our requested update was so massive that it doesn't seem to have been completely accomplished. As a result, we now have a request to OPM for 19 category revisions to complete the revisions. The reason we are requesting so much updating is that we have \$9 million in Clean Water Funds to upgrade our sewage treatment plant that are in jeopardy because our Town is not 100% consistent with the State Plan. We are watching the cost of upgrading the treatment plant rise by about \$172,000 per month as we await regulatory approvals. The Dept. of Environmental Protection is in the unenviable position of having two mandates: they must work to clean up the waters of the State, including discharges from sewage treatment plants, yet must simultaneously review projects for consistency with the State Plan—mandates that are in direct opposition to each other at times.

Two specific examples of properties in South Windsor that are not consistent with the State Plan follow. The majority of the 19 revisions we are requesting fall into these two types of examples.

1. **Imprecision in the use of Soil Survey data.** The U.S. Dept. of Agriculture, Natural Resources Conservation Service, publishes the soil survey for the entire State. The soil survey includes soil types classified as regulated wetlands in Connecticut. The regulated wetlands are translated onto the State Plan as areas of conservation and preservation. However, NRCS itself includes the following disclaimer on its data:

“This data set is not designed for use as a primary regulatory tool in permitting or citing decisions, but may be used as a reference source. This is public information and may be interpreted by

organizations, agencies, units of government, or others based on needs; however, they are responsible for the appropriate application.” (See excerpt of NRCS information attached.)

One of the 19 revisions that South Windsor is seeking is a 6-acre property that is depicted in the State Plan as preservation area because the soil survey depicts it as wetlands. The entire area around the preservation area has a Growth Area designation. On the ground, Certified Soil Scientists are the only people who are licensed to depict wetlands soils. South Windsor has a Certified Soil Scientist on staff. The Town's Certified Soil Scientist, along with two other Certified Soil Scientists, examined this 6-acre property and all three soil scientists found it to be entirely free of wetlands. However, unless and until such time as we are able to obtain a revision to the State Plan, the 6 acres continues to be inconsistent with the State Plan and continues to affect our State agency approvals. (See attachment labeled Residential Area H.)

- 2. Properties that were developed decades ago are in the Conservation or Preservation categories.** The majority of South Windsor's requested revisions are in this group. The best example of improper categorization of an individual property is probably that of Redland Brick, a clay quarry and brick manufacturing plant. Redland Brick owns over 100 acres and has been quarrying and manufacturing brick since the 1940's. Brickmaking occurred on this property as far back as colonial times. The company anticipates about 100 more years of clay quarrying and brick manufacturing. The quarries show up clearly on aerial photos throughout the years (see attached 1986 and 1995 aerial photos), yet the property and other industrial properties around it continue to be classified as Conservation/Preservation. South Windsor has a shopping center built in the 1960's, complete with a large parking lot, classified as Conservation/Preservation. Ditto a trucking facility that has operated since at least the 1960's and is now the site of Environmental Services Inc., a hazardous waste clean-up facility that contracts with the State to clean hazardous spills on State property. The list goes on. All of these "inconsistencies" with the State Plan affect State funding decisions for local grant monies.

The Town of South Windsor is fortunate to have very good documentation of State Plan issues; other towns may not be so fortunate and thus unable to make a good case for revisions. It is imperative that the Planning & Development Committee, and the entire Legislature, recognize that the Plan was never designed to be used at that level of precision, that the title of Locational GUIDE Map is correct, and that the text portion of the State Plan must also be used for making State funding and permitting decisions. Until the State process is repaired, a lot of unfair damage is being inflicted on municipalities.

If you have any questions or would like to further discuss South Windsor's issues, please contact me at 644-2511, ext. 253.

Sincerely,



Marcia A Banach, AICP
Director of Planning

MB/sf

cc: Matthew B Galligan, Town Manager
The Honorable Matthew Streeter, Mayor

Residential Area H Comparison of State Wetlands Mapping with State Plan of Conservation & Development



Legend

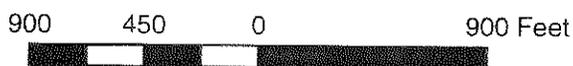
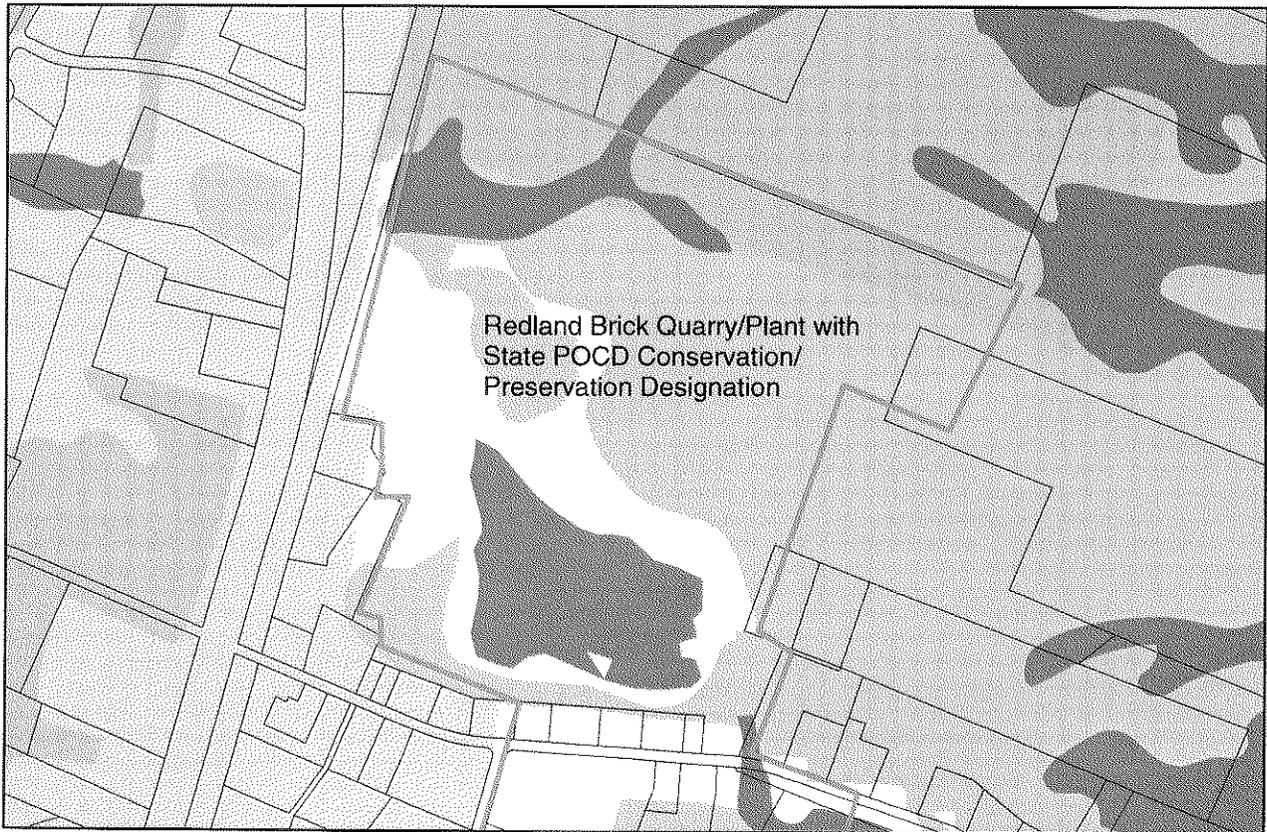
- DEP Wetland Soils
- OPM Preservation Area
- OPM Large Wetlands
- Growth Area
- Neighborhood Conservation
- Regional Center
- Rural Community Center



South Windsor/Redland Brick Quarry and Brick Manufacturing Plant



1986 Aerial Photo of Redland Brick quarry and plant



Areas of Concern