

**QUALITY ASSURANCE CRITERIA**  
for the Consideration and Due Diligence on the RV Park Application  
by the Planning and Zoning Commission.  
for Blue Camp CT LLC

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❖ **Introduction. Special Exceptions: Re: Protecting and Promoting the Rights of Property Values**

1. \_\_\_ Yes?) \_\_\_ No? Were the conclusions related to the impact on property values previously submitted by Russ Appraisal Services *complete* and provide a sufficient level of detail? (See considerations).
  - a. Consideration: The two home values that were submitted were not statistically significant to draw conclusions.
  - b. Consideration: The impacts of camp grounds in East Lyme and Salem previously offered for comparison were significantly smaller. In addition, MIL rates for East Lyme and Salem were significantly higher.
  - c. Current owners of subject properties (aka “typical purchaser”) consider the project proposal to be adverse to their property values.
  - d. 384 residents of the Town of Preston signed a petition asking the Town to reject this application, thus speaking to neighborhood impact.
  
2. \_\_\_ Yes? \_\_\_ No? Based on the size and scope of the proposed project, is this considered to be the best use of this location and will it have a negative impact on property values, among other considerations?

Note: Given the above, and many other considerations (SEE BELOW), the answer to Question 2 is “NO.”

**A. SITE DESIGN**

1. \_\_\_ Yes? \_\_\_ No? Overall Key Question: Given the criteria stated for “Special Exceptions” for Planning and Zoning, is this proposed development compatible with surrounding development and the neighborhood (Neighborhood Compatibility) and “in harmony with the surrounding area?” Sub-question: In what ways can the proposed development be “in harmony with the surrounding area” and compatible with the surrounding neighborhood? State:
  
2. If “No” what steps, including rejection, should the Planning and Zoning Commission now take? See key considerations below).  

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3. \_\_\_ Yes? \_\_\_ No? Has the Planning and Zoning Commission thoroughly considered and addressed all the factors/questions stated in the presentation (Exhibit 72) of Margaret Gibson on “Neighborhood Compatibility” at the P&Z public hearing on March 22, 2022.

**Quality of Neighborhood Compatibility Issues:**

4.      Yes?      No? Has the applicant as yet submitted an artistic rendering of the proposed buildings?
5.      Yes?      No? Will the proposed development have a negative impact on the surrounding *neighborhoods* Indicate Degree of Negativity: Circle number on scale: (Minor) 1-2-3-4-5—6 (Major). Explain. \_\_\_\_\_
6. What steps has the Applicant taken to mitigate negative impact?  
State. \_\_\_\_\_
7. What steps has the Applicant NOT taken to mitigate negative impact?  
State. \_\_\_\_\_

**POTENTIAL NOISE PRODUCING EVENTS:**

8.      Yes?      No? Has the Applicant to date detailed any “planned events” for this development? (Note: Activities outlined for the Applicant’s other properties include: a). Swimming pool parties, b). 4<sup>th</sup> of July fireworks, c) Mardi Gras, d) car shows, e) Wine festivals, f) beer festivals, g) food trucks, h) Jeep Jamborees.
9.      Yes?      No? Given the P&Z Commission’s own “Neighborhood Compatibility” criteria, will the Commission allow such events to occur at the development site? Why? What STEPS/ACTIONS will the Commission take regarding these and other events? If not, why not?
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10.      Yes?      No? IF the development were to be approved, (thus disregarding the Neighborhood Compatibility criteria), as part of a thorough planning process WILL the Commission obtain in writing a statement by the Applicant that these and similar events would NOT take place at the proposed Blue Camp location? If NO, why not?
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11.      Yes?      No? Given Neighborhood Compatibility criteria, has the Planning and Zoning Commission considered, and addressed, the following potential noise-producing issues that may occur in/with this development?
- (a) Children yelling/playing, b) RV air conditioners running, c) vehicular exhaust noises, d) music from campers (radios, stereos, portable TVs etc), e) clothes dryers, if equipped, at the Welcome Center, f) Pet Noises (e.g. dogs barking). (Note: These and

other noises would be amplified by the open waters of Avery Pond and the natural topography across Rte 164 into the residential areas above that roadway.)

**B. APPROPRIATENESS OF LOCATION OR USE: Quality Assurance Considerations/Issues**

1. \_\_\_ Yes? \_\_\_ No? DOES this planned development enhance the “quality of life” for the residents of the Town of Preston?

*Note: Resort Commercial Development” is proposed for the benefits of the transient residents.*

2. \_\_\_ Yes? \_\_\_ No? Will the “Rodent and Insect Control Plan” ( submitted April 21<sup>st</sup>) be thoroughly vetted/approved by other independent experts and state agencies prior to an application decision? If YES, by whom? \_\_\_\_\_

*Note: Spraying for mosquitoes, putting out poison for rodents is not acceptable for wetlands or close to wetlands.*

3. \_\_\_ Yes? \_\_\_ No? If this has not already been done, will the Commission request a written plan that details HOW cleaning and remediating fuel and oil spills will be carried out? How and how often will this be monitored, and by whom? \_\_\_\_\_

4. \_\_\_ Yes? \_\_\_ No? Does the Commission agree, as has been stated elsewhere, the proposed development is simply “out of scale”; too big ? If NO, why? \_\_\_\_\_

*Note: This is not “small retail”; it is large and ungainly and potentially, even with proposed safeguards. Degrading to the environment, human and natural.*

5. \_\_\_ Yes? \_\_\_ No? Is it the responsibility of the Planning and Zoning Commission for the Applicant to make a profit? (re minimum number of RV sites for profitability).

6. \_\_\_ Yes? \_\_\_ No? HAS the Applicant provided, in writing, an explanation of how it derived projected tax revenue (annual) of \$238,602.00 to the Town of Preston (thus making it the Town’s third largest taxpayer).

If “YES”. Has the Commission subsequently had this figure analyzed and verified?

\_\_\_ Yes? \_\_\_ No? By whom? \_\_\_\_\_

**Note: Being “business friendly” must be kept in balance with the other valued aspects of Preston’s “quality of life.”**

**TRAFFIC LOADS**

1.      Yes?      No? **Do traffic studies related to this project need to include peak travel from Memorial Day through October 31<sup>st</sup>? Do they? If "NO" why not?**  
\_\_\_\_\_

**Important Note: Traffic studies submitted by the developer were taken on May 10, 14, 15 and 17, 2021. The dates for this study understate the baseline impacts of this project as they do not capture the lift caused by summer seasonal traffic. All traffic measurements need to include peak travel from Memorial Day through October 31<sup>st</sup> before this application is considered for approval.**

2. Yes?      No? **DO the traffic studies already submitted by the Applicant account for Foxwood's massive expansion and projections of some 600,000 visitors per year to their new great Wolf Lodge Resort and Water Park (as quoted by Foxwoods in THE DAY. March 22, 2022. If NO, why not?** \_\_\_\_\_
3.      Yes?      No? **Has the impact of the State Hospital property development been excluded from the traffic study to/for all impacted roadways? If it has been excluded, WHY? \_\_\_\_\_ Will it be included?**
4.      Yes?      No? **Has the impact of the project to traffic on Route 2A been included/submitted? Will it be? When?**

**Note: The developer's recent submission to Planning and Zoning regarding Rte 2A states that "*intersections along Rte 2 west of Rte 164 , including the intersection with Rte 2A will not be adversely affected by the Blue Water development and do not warrant study based upon industry-provided protocol.*" The numbers used to determine this opinion were based on mid-May traffic studies that were likely not factored up for the decline in traffic due to COVID impacts. The Memorial Day to October 31<sup>st</sup> timeline needs to be applied here as well before this application is considered for approval.**

5.      Yes?      NO? **Has the traffic study submitted included ALL vehicular traffic to be generated by this project, not just anticipated RV traffic? (Note: e.g, employee traffic, deliveries, maintenance, hired security, shuttle bus service, waste removal, pest control, secondary vehicles/mopeds towed by the RVs etc)**

6.        Yes?        No? ( re Pedestrian Circulation, sidewalks or lack thereof)

Does the application and has the Commission taken into account and prepared planning for the presumed increase in pedestrians that will come with this site, along Rtes 2 and 164?

This is a clear and present danger to safety. WHAT STEPS/ACTIONS WILL BE TAKEN to mitigate this issue before the approval and implementation of this proposed site? Re sidewalks) STATE: \_\_\_\_\_

NOTE: There are NO sidewalks in this area, only narrow shoulders to walk on Rte s 2 and 164' roadways noted for high traffic volume. This presents a clear and present danger to pedestrians AND BICYCLISTS.

7.        Yes?        No? Has the Commission and the Applicant actual USED GPS and cell phone navigation to "trial run" vehicular entry to the proposed project? Results?

**ENVIRONMENTAL QUALITY AND HABITAT AREAS: SPECIAL QUALITY ISSUES. (re Criteria iii and iv)**

1.        Yes?        No? Applicant Experience. Has the P&Z Commission reviewed the previous experience of Blue Water Development with its OTHER facilities in constructing a campground "from the ground up" as is proposed here?. If "yes" what was the result of that analysis? \_\_\_\_\_

Note: To date it would appear that the Applicant has either purchased existing campgrounds and/or assumed management of existing campgrounds with other corporations as partners and has NOT previously done a "ground up" site. Confirm.

2.        Yes?        No? Has the P&Z Commission or members of the Commission visited other Blue Water camp sites?

3.        Yes?        No? Has the P&Z Commission researched and analyzed ONLINE other Blue Water Resorts, as listed in their portfolio/brochure in terms of management issues?

Reaction and Results? \_\_\_\_\_

**HABITAT AREAS Considerations**

1. \_\_\_\_\_ Yes? \_\_\_\_\_ No? Will the P&Z Commission ASSURE that this development (or any future developments) will not impede or impact the historic alewife fish migrations to Avery Pond or the breeding habitat of Avery Pond and Amos Lake?

(See Exhibit 62: Letter from Jean Pillo of the Eastern Connecticut Conservation District inc to John Moulson Dec 21, 2021)

2. \_\_\_\_\_ Yes? \_\_\_\_\_ No? Has the P&Z Commission consulted and reviewed the concerns of the POCD (Plan of Conservation and Development; re Connecticut Surficial Aquifer Potential Map)? Results/Concerns? Explain.

3. \_\_\_\_\_ Yes? \_\_\_\_\_ No? HAS the Preston Planning and Zoning Commission done "due diligence" in regard to the following:

**PA 21-29 Section 10.** *"In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section 22a-93, of any proposal for development."*

EXPLAIN.

- 4., \_\_\_\_\_ Yes? \_\_\_\_\_ No? Will the P&Z Commission ACCEPT the suggestion from Milam Bull, Senior Director of Science and Conservation Connecticut Audubon Society that a complete on-site survey would be an important requirement to identify and mitigate potential impacts on wildlife communities including turtles, snails, mammals, birds, reptiles and amphibians? IF NO, why ?

\_\_\_\_\_NEXT STEPS?\_\_\_\_\_

4. \_\_\_\_\_ Yes? \_\_\_\_\_ No? Given the habitat implications of the proposed project, will the P&Z Commission request that the developer submit a review via the State of Connecticut D.E.E.P. Department through the "Natural Diversity Data Base" (INDDB) to determine the presence of any listed species? (This should take into account the aforementioned interconnected system of waterways, Any decision on this application should be deferred until such a review has been completed.

5. Yes? No? Will the P&Z Commission acknowledge, as has been publicly stated by the Conservation and Agriculture Commission, that given the negative habitat implications of the proposed project, this project application should be DENIED/REJECTED? (See Letter from the Commission Chairman).

If NO, why?

7. Given that the proposed project will affect environmental quality, and the statement in the Commission's own "Criteria iii" is that "*the proposed use will NOT adversely affect environmental quality*: WHAT STEPS will the Commission and/or the Applicant take to address these issues.

- A. \_\_\_\_\_  
B. \_\_\_\_\_  
C. \_\_\_\_\_

8. Yes? No? Given the relevance of the modern Low Impact Development (LID) approach to land development, will the P&Z Commission require further analysis to incorporate LID and its implications for this proposed project? Explain decision.
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#### OTHER ENVIRONMENTAL CONSIDERATIONS. Considerations

1. Yes? No? Given the wording of the Commission's own "Criteria iii" re excessive and unreasonable noise levels, can the Applicant give assurances that the noise levels in the proposed project will not be "different" from what currently exists in the neighborhood? Explain how.
- \_\_\_\_\_
2. Yes? No? Given that the Applicant has taken some steps (often after being prompted to do so) to mitigate potential problems of light levels, smoke, odor, gas, dust and vibration, can the Applicant and the Commission state that the "quality of life" in the surrounding area will NOT be profoundly affected? (re "harmonious compatibility.")
3. Yes? No? Given that the Preston Plains Middle School sits directly across Rte 164 from the proposed project, as a matter of health AND (traffic) safety, WILL the P&Z Commission consider the effects of increased "smoke, odor, gas, dust and vibration" as well as noise pollution on the health and safety of children and staff members of this school?

Will the Commission authorize that this issue be studied and verified by a reputable agency/organization before moving ahead with any approval of this project? If NO, explain why \_\_\_\_\_

**SUMMARY QUESTION:      Yes?      No? Has the Planning and Zoning Commission thoroughly considered ALL the above factors/considerations/issues and reached decisions about them? If NO, what STEPS/ACTIONS will the Commission take to address these issues? Explain: \_\_\_\_\_.**

**C. THE "QUALITY OF DILIGENCE" AND FUTURE COMPETENCE.**

**"Doing Due Diligence" by an applicant does not precisely fall within *the Special Exception Criteria* and yet it is a factor that should not be ignored in Planning and Zoning. While it would be expected that there will always be details that require modifications and additions in the proposal of a major project, the Commission should be aware that the *extent* to which due diligence has NOT been done in this case is reflected in the key revisions that have had to be made, so far, by Blue Camp to address important issues surrounding the project.**

**Despite, and sometimes because of, the testimony and submissions by experts hired by the Applicant (and it should be thanked for doing so, both positively and negatively), it has become clear that the Applicant entered into the process by pushing ahead for rapid approval (sometimes displaying an unfortunate public arrogance) without doing the complete "due diligence" necessary, and only when *pushed* on key points publicly by concerned citizens has taken important and critical steps to try to meet key substantive problems with the proposal (e.g. neighborhood compatibility, environmental quality, habitat areas, traffic concerns). Many of those concerns have still *not* been fully addressed. The "quality of diligence" done so far should enter into any planning and zoning judgement as to the performance and competence of the Applicant in the future.**