

September 30, 2021

North Haven Planning & Zoning Commission
c/o Land Use Office
5 Linsley Street
North Haven, CT 06473

Re: Prete Subdivision, 37 Pond Hill Road

Dear Chairman Carlson and Members of the Commission:

Matthew and Elizabeth Prete acknowledge that their 3-lot subdivision was premised on them supplying public water and sanitary sewer service via Pond Hill Road. By way of brief background, the subdivision consists of four lots, *which includes* the "First Split" referred to in the NOTES on the subdivision map. Their home is shown on the attached copy of the Subdivision Map (J887C), as Parcel "A" A.K.A. LOT 1. I highlighted the perimeter of the Pretes' home lot in green. Moving in a generally northwesterly direction from Pond Hill Road, my clients' home at 37 Pond Hill Road is designated Lot 1, followed in succession by Lots 2, 3, and 4. The lot on which their home is situated was separated from the land to the northwest by their as-of-right-one-time lot split.

Attorney John Lambert represented Mr. & Mrs. Prete before the Commission in November of 2006 when their subdivision was approved. Attorney Lambert's health prevents him from continuing to represent Mr. & Mrs. Prete in this matter, which is how I came to be involved.

My clients ask the Commission to modify the subdivision approval by designating Lot 4, the farthest to the northwest, (and perimeter highlighted in yellow), as "NOT A BUILDING LOT UNTIL FURTHER ACTION BY THE PLANNING AND ZONING COMMISSION," and eliminating the requirement to supply lots 2 and 3 with public water or public sanitary sewer service. That would enable Mr. and Mrs. Prete to sell Lots 2 and 3, with the buyer(s) / builder(s) installing individual septic systems and supplying water by individual wells – as is the case with every other lot on Pond Hill Road.

In support of their request, I attached the Fawn Ridge Subdivision Map (I-1156C), and an enlarged version of the map to aid legibility. I highlighted the two contiguous 25' easements designated "FOR FUTURE ROAD" in blue on each of those maps as well as on the Prete Subdivision Map. Clearly the developer of Fawn Ridge anticipated connecting Fawn Ridge with the land now owned by my clients, as evidenced by the reservation of the two contiguous 25' easements "FOR FUTURE ROAD." I submit that there is a reasonable likelihood of residential development of the St. Frances Cabrini Church property ... and inclusion of a portion of Pretes' Lot 4 as a continuation of Fawn Ridge Road to intersect with Pond Hill Road ... similar to the Commission's approval of Donmar's subdivision, which extended Windsor Road East to connect with Homewood Avenue.

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Prete Subdivision, 37 Pond Hill Road

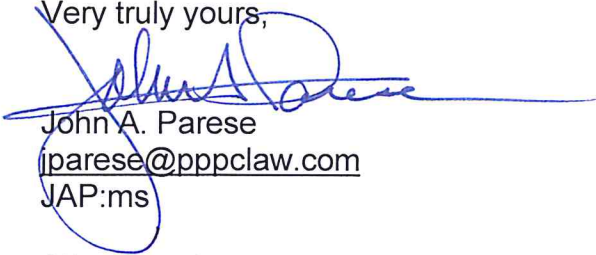
Of course, my clients prefer not to incur the expense of applying for a re-subdivision approval at this time; and I believe they can accomplish their goal, as outlined above, *without potential confusion about the status of Lot 4*, by recording a caveat on the Land Records (text to be approved by the Commission's attorney).

As noted at the beginning of this letter, supplying public water and public sanitary sewer service via Pond Hill Road were conditions of the subdivision approval for the fourth lot, although a more direct, and therefore less costly, route to the subdivision would have been an extension of the water and sewer mains through the Fawn Ridge Road easements. Nevertheless, the *quid pro quo* for the fourth lot was the water and sewer service extension along Pond Hill Road.

My clients have discovered that the extension of the water and sanitary sewer mains to satisfy the condition of the subdivision approval is cost prohibitive. Mr. & Mrs. Prete request that this Commission remove the condition requiring extension of the water and sanitary sewer mains to Pond Hill Road, ***in exchange for temporary removal of Lot 4 as a building lot***. To be clear, ***they are not proposing to abandon Lot 4 as a building lot in perpetuity***, but rather just until the Commission approves a resubdivision at some point in the future, which may include the St. Frances Cabrini Church land. This will enable Mr. & Mrs. Prete to develop or sell Lots 2 and 3 without extending public water and sewer service to Pond Hill Road, with the express provision that Lot 4 will no longer be an approved building lot ... and will not become a building lot ... without further action by this Commission.

My clients and I will be available to answer questions and address concerns when the Commission considers this request. Thank you for your consideration.

Very truly yours,


John A. Parese
jpares@pppclaw.com
JAP:ms

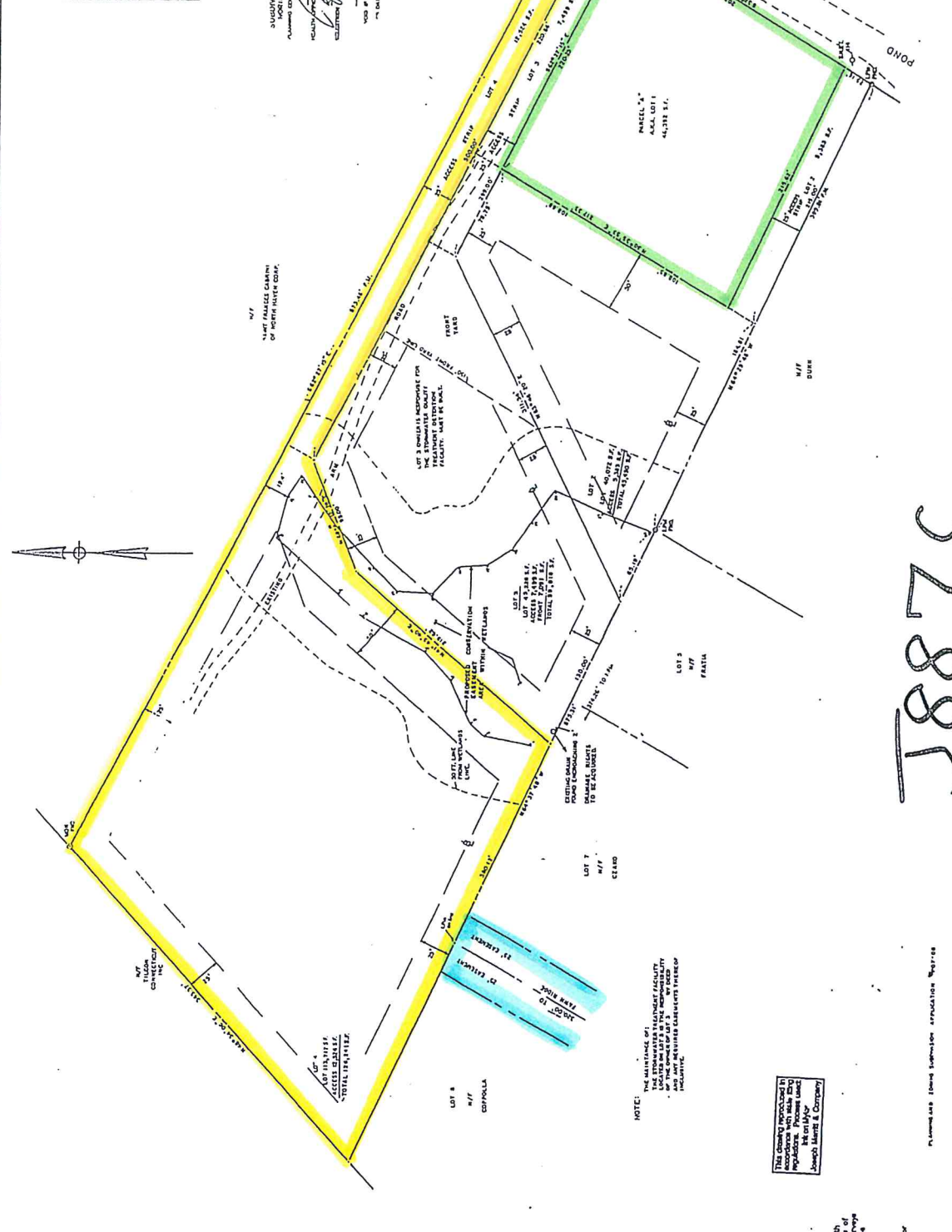
Attachments:

- Copy Prete Subdivision Map (J887C), with green, yellow, and blue highlighting
- Copy Fawn Ridge Subdivision Map (I-1156C), with blue highlighting
- Enlarged copy of a portion of Fawn Ridge Subdivision Map (I-1156C), also with blue highlighting

Copy: Attorney Jennifer N. Coppola (with attachments)



SUBDIVISION APPLICANT:
 NORTH HAVEN, CT.
 DATE: 10/15/13
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]



REVISION	DATE	DESCRIPTION
1	10/15/13	PRELIMINARY
2	10/15/13	REVISED PER COMMENTS
3	10/15/13	REVISED PER COMMENTS
4	10/15/13	REVISED PER COMMENTS
5	10/15/13	REVISED PER COMMENTS
6	10/15/13	REVISED PER COMMENTS
7	10/15/13	REVISED PER COMMENTS
8	10/15/13	REVISED PER COMMENTS
9	10/15/13	REVISED PER COMMENTS
10	10/15/13	REVISED PER COMMENTS

WETLAND FLAGGED BY
 SOI, SCIENCE & ENVIRONMENTAL
 INC. PROJECT NO. 10-01-11-003
 DATED 10/15/13. SEE ATTACHED
 REPORT & MAPS.

PARCEL "B" REMAINING 12,210 SQ. FT.

NOTES:

ALL MEASUREMENTS FROM CENTER LINE UNLESS OTHERWISE NOTED.
 REFERENCE IS MADE TO A MAP DOTTED
 PROPERTY FROM TALLINGFORD VILLAGE SUBDIVISION
 DATED MAY 4, 2006, ON FILE IN
 THE TOWN CLERK'S OFFICE.

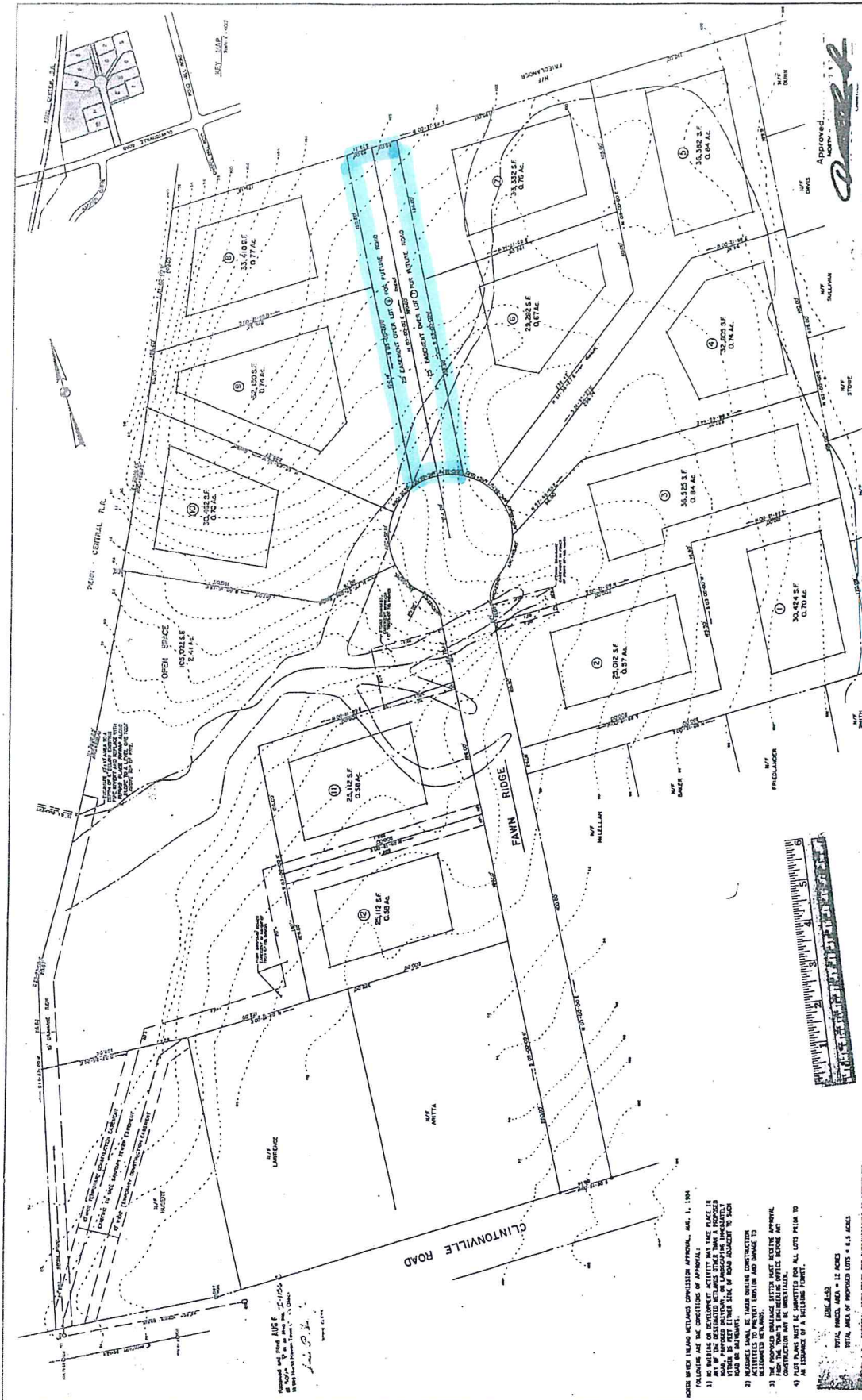
ZONE DISTRICT: R-40

This survey and map have been prepared in accordance with
 Sections 20-300b-1 thru 20-300b-20 of the Regulations of
 the State of Connecticut, as amended, and the Survey
 and Mapping Act of the State of Connecticut, as amended, by the
 Connecticut Association of Land Surveyors, Inc. It is a
 preliminary map and is not intended to be used for
 any purpose other than to show the location of the
 proposed subdivision. It is not intended to be used for
 any purpose other than to show the location of the
 proposed subdivision. It is not intended to be used for
 any purpose other than to show the location of the
 proposed subdivision.

J887C

<p> OWNER/APPLICANT: 37 POND HILL ROAD NORTH HAVEN, CT. </p>	<p> JOB NO. 10343 SHEET NO. 1 OF 1 FILE: A-724-3 </p>	<p> SUBDIVISION MAP FOR PARCEL "B" 37 POND HILL ROAD NORTH HAVEN, CONNECTICUT </p>	<p> SCALE: 1" = 40' UNLESS OTHERWISE NOTED OR DIMENSIONED BY DIMENSION LINE </p>
<p> SCHULL ASSOCIATES INC. CONSULTING LAND PLANNERS 100 JESSUP STREET NORTH HAVEN, CT 06460 DATE: 10/15/13 </p>		<p> DRAWN BY: A.L.S. CHECKED BY: D.A.S. APPROVED BY: [Signature] </p>	

I-1156 C



Approved:

CASCIO BECHIR & ASSOCIATES, INC.
 CIVIL ENGINEERS AND ARCHITECTS
 1070 NORTH AVENUE
 NORTH HAVEN, CONNECTICUT 06460
 FINAL SUBDIVISION PLAN - FAMIN RIDGE
 CLINTONVILLE ROAD, NORTH HAVEN, CONNECTICUT
 OWNER: JAMES MACZYSKI, SR.
 DEVELOPER: RONALD HANNUCCI
 SCALE: AS SHOWN
 SHEET NO. 1 OF 1
 DATE: 10/15/03

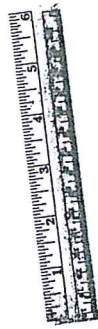
I hereby certify that the map and survey were prepared in accordance with the provisions of the General Statutes of the State of Connecticut, Chapter 54-207, and that the same are true and correct to the best of my knowledge and belief.

James Maczyski, Sr.
 Surveyor



LEGEND

- EXISTING MONUMENT
- PROPOSED MONUMENT
- PROPOSED CENTERLINE
- PROPOSED CENTERLINE
- PROPOSED CENTERLINE



NOTE: WATER MAINS NETWORK COMPLETION APPROVAL, AUG. 1, 1994.

THE FOLLOWING ARE THE CONDITIONS OF APPROVAL:

- NO BUILDING OR DEVELOPMENT ACTIVITY MAY TAKE PLACE IN THE PROPOSED LOTS UNTIL THE SUBDIVISION IS APPROVED BY THE TOWN OF NORTH HAVEN. THE TOWN ENGINEER SHALL BE NOTIFIED IMMEDIATELY BY THE DEVELOPER OF ANY ACTIVITY THAT MAY TAKE PLACE IN THE PROPOSED LOTS.
- THE PROPOSED CHALLENGE LINES MUST BE SET BY THE DEVELOPER AND MUST BE SET WITHIN THE CHALLENGE LINES AND SHOWN TO THE TOWN ENGINEER.
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ZONING

TOTAL PAVED AREA = 12 ACRES
 TOTAL AREA OF PROPOSED LOTS = 6.4 ACRES

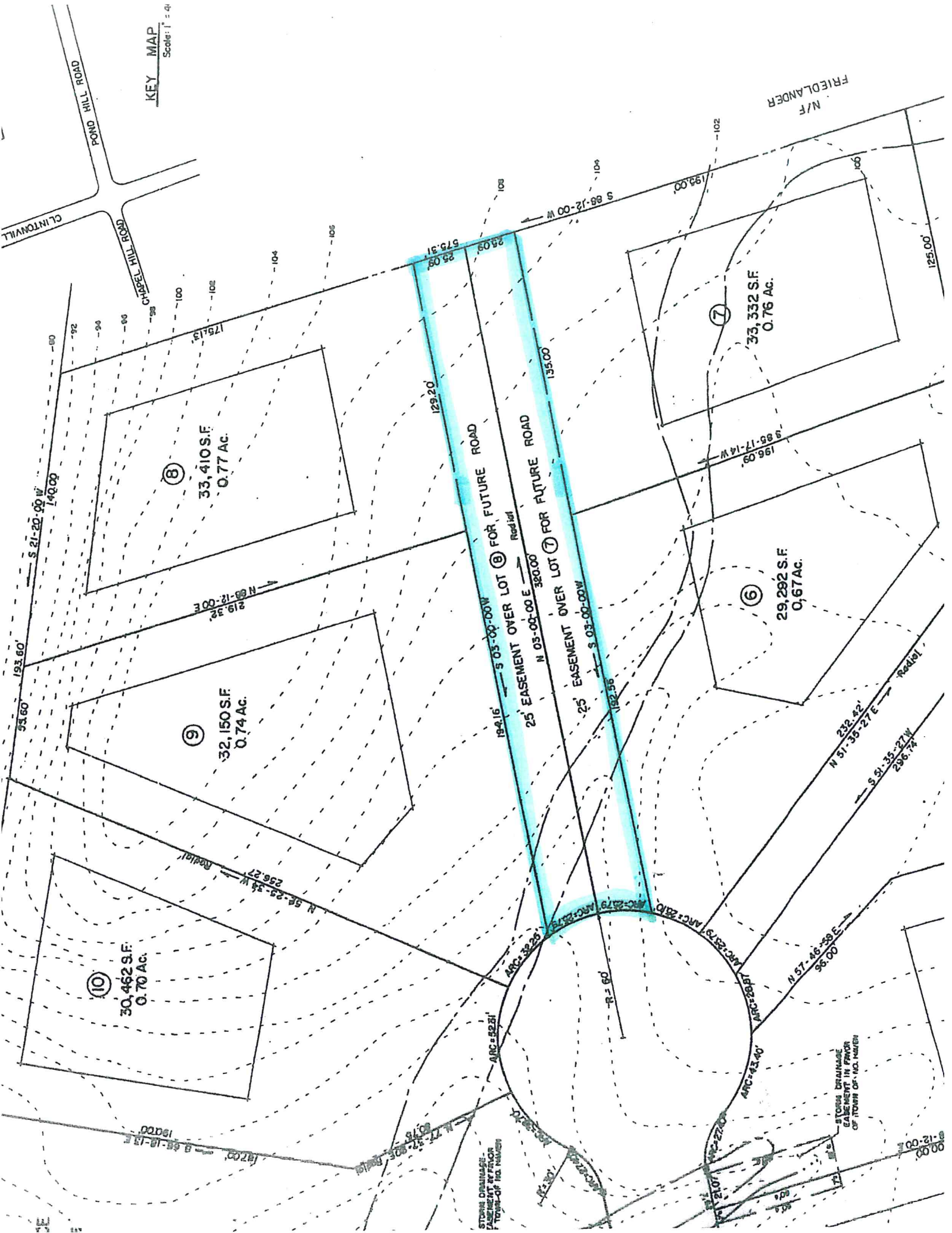
SECTION 5.2 - SPECIAL REGULATION FOR SUBDIVISIONS IS REFERENCED.

CONTRASTING WATER TO ROAD WATER. CONTRASTING WATER FROM ROAD TO ROAD WATER. CONTRASTING WATER FROM ROAD TO ROAD WATER.

ALL LOTS SHALL BE SERVICES BY PUBLIC WATER AND SANITARY SEWER FACILITIES.

I-1156 C

KEY MAP
Scale: 1" = 40'



POND HILL ROAD
CLINTONVILLE

193.60' S 21-20-00 W 140.00'
93.60' S 21-20-00 W 140.00'
193.60' S 21-20-00 W 140.00'
193.60' S 21-20-00 W 140.00'

179.13' N 88-18-00 E 219.32'
129.20' N 05-00-00 W 320.00'
194.16' S 05-00-00 W 320.00'
129.20' N 05-00-00 W 320.00'
129.20' N 05-00-00 W 320.00'

135.00' N 05-00-00 W 320.00'
135.00' N 05-00-00 W 320.00'
135.00' N 05-00-00 W 320.00'
135.00' N 05-00-00 W 320.00'

30,462 S.F.
0.70 AC.

32,150 S.F.
0.74 AC.

33,410 S.F.
0.77 AC.

33,332 S.F.
0.76 AC.

29,292 S.F.
0.67 AC.

STORM DRAINAGE EASEMENT IN FAVOR OF TOWNSHIP OF HAZEN

TOWNSHIP DRAINAGE EASEMENT IN FAVOR OF TOWNSHIP OF HAZEN

125.00'