

# TOWN OF OLD SAYBROOK **Inland Wetlands & Watercourses Commission**

302 Main Street • Old Saybrook, Connecticut 06475-1741 Telephone (860) 395-3131 • FAX (860) 395-1216

# **APPLICATION** TO CONDUCT A REGULATED ACTIVITY

APPLICATION #	(to be completed by staff)
Date received in Land Use Department:	(to be completed by staff)
Date received by Commission:	(to be completed by staff)
✓ Check Applicable Activi	ity & Attach Check for Total Fee Amount
Regulated Activity or  Modification of Existing Permit \$240.0	OO Permit Ownership Transfer \$10.00
Administrative Permit for Minor Activity \$50.00	✓ State Fee for ALL Applications \$60.00
TOTAL APPLICATION FEE AMOU	NT \$ RECEIVED BY:
Name of Applicant Provence Land	d Co., LLC. (Matt Oneglia)
Home Address	
112 Wall Street Torrington, C Business Address	CT 06790  Email Addressmattoneglia@ogind.com
Name of Property Owner Ortho Sa	aybrook, LLC (David Hergen)
Home Address	Telephone 203-903-6189
130 Saybrook Pd Sto. 100 Middletown	
If applicant other than owner, pleas	se state interest in the land
Construction Manager / Advisor	
Location of Property by Street Add	ress 52 Spencer Plain Road (CT Rt. 166)
Assessor's Map No. 25	Lot No. <u>27</u>
Provide the names and addresses of	of all property owners adjacent to the subject property

<see attached>

6. State the purpose, proposed use and a summary description of the proposed activity. (Please be specific, use additional sheets if necessary.)

The proposed use will be a 23,820 s.f. medical office building. The development will consist of one (1) building, a two-lane access driveway, a 120-space paved parking lot with landscaped islands and lighting, utilities, stormwater management, and other associated improvements. There will be some unavoidable filling of wetland areas along the access driveway but no other wetland filling or alteration is proposed. Retaining walls have been utilized along the access drive to minimize impacts to wetlands. A 2023 approved site plan for this site included 27 more parking spaces, an additional building with drive-thru, more impervious area, more fill/grading and site retaining walls, more activity/impact within the 100-ft. upland review areas, and a second septic system.

	Activity Location (Submit map with sufficient detail as a part of the application.)
	Number of acres of wetlands (or portion thereof) on the property 1.4 acres +/-
	Total area of inland wetlands to be altered 0.042 ac (permanent) 0.035 ac (temporary)
	Are vernal pools or tidal wetlands located on the property? If so, where and how many acres (or portion thereof) on the property?
I	There are no vernal pools or tidal wetlands on the property - see attached letter from Bob Russo, 0
	Are inland wetlands or watercourses located on adjacent properties? If so, state the name of the property owner and if it is a wetland or watercourse.
C	
	and east (wetlands).
	Has a licensed soil scientist flagged the wetlands or watercourses on this property? If so, who and when?
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	Has a licensed soil scientist flagged the wetlands or watercourses on this property? If so, who and when?  Yes, Richard Snarski, CPSS in September, 2010 and confirmed by Bob Russo, CPSS in March, 2  Nearest Thoroughfare 1-95  Distance (in feet) abutting to the north
	Has a licensed soil scientist flagged the wetlands or watercourses on this property? If so, who and when?  Yes, Richard Snarski, CPSS in September, 2010 and confirmed by Bob Russo, CPSS in March, 2

2 Removing material	☑ Grading
2 Depositing material	☐ Paving
☐ Surface Water Diversion	☑ Vegetation Removal
<b>2</b> Construction	☑ Vegetation Restoration

9. Explain in detail the extent of any activity checked above, type of material and equipment to be used to complete project. (Use additional sheets if necessary.)

The subject property is presently wooded. The trees will be cleared and topsoil will be removed to prepare for site development. Fill will be imported to the site to bring the site to a reasonable grade necessary to accommodate utilities and drainage systems. Fill will be clean, sand and gravel fill material. All types of standard construction equipment for tree removal, stump removal, stripping of topsoil, importing and spreading fill, and overall commercial site development will be utilized. This will include, but not limited to, backhoes, excavators, loaders, bulldozers, tree removal/clearing equipment, dump trucks, paving machinery, cranes for building construction, etc. The northwestern isolated wetland pocket will be expanded to mitigate the necessary filling for the access driveway embankment. Additionally, the western wetland pockets will be eradicated of any invasives and will be cleaned of existing debris.

- 10. Estimated cost and time for completion: Cost is unknown at this time. Construction duration may be 12 or more months depending on many factors including workforce and supply chains.
- 11. Explain what alternatives have been considered in connection with this application to avoid altering inland wetlands or watercourses?

Alternatives considered were as follows:

- 1) Do nothing this is not prudent or feasible for this property.
- 2) Relocate the access driveway this is not prudent or feasible since there is a DOT non-access line along all of the remaining frontage in addition to the locations of the I-95 on and off exit ramps, the RR bridge, and the I-95 bridge.
- 3) Raise the site grades 3 to 4 additional feet for better site functionality and visibility the proposed site filling is the absolute minimum necessary to support critical site utilities and drainage systems.
- 4) Construct the plan that was approved by IWWC in 2023. That plan proposed more fill, more parking spaces, more impervious area, a second building and septic system, a wider 3-lane access driveway, and substantially more activity/impact within the 100' upland review areas. See the Alternative Analysis plan provided with the application depicting the differences between the two layouts.
  - 12. Identify any other local, State or Federal permits previously issued or pending that will be required for work on this property?

Full Town Zoning, ARB, and Planning approvals and referrals will be required for this project.

Once Town approvals are in place, ConnDOT will require permits for all work within the ConnDOT right-of-way.

# Affidavit of Accuracy and Agency

The undersigned applicant warrants the truth of all statements contained herein, and in all supporting documents attached hereto or which may be presented to the Commission in the future, pursuant to this application.

I further understand that the Commission may request further information in connection with this application and that if the proposed activity involves a significant activity, an additional filing fee may be required.

Signed:	-May	and	~	Date:	4-4-24
8	_, w.c	X			

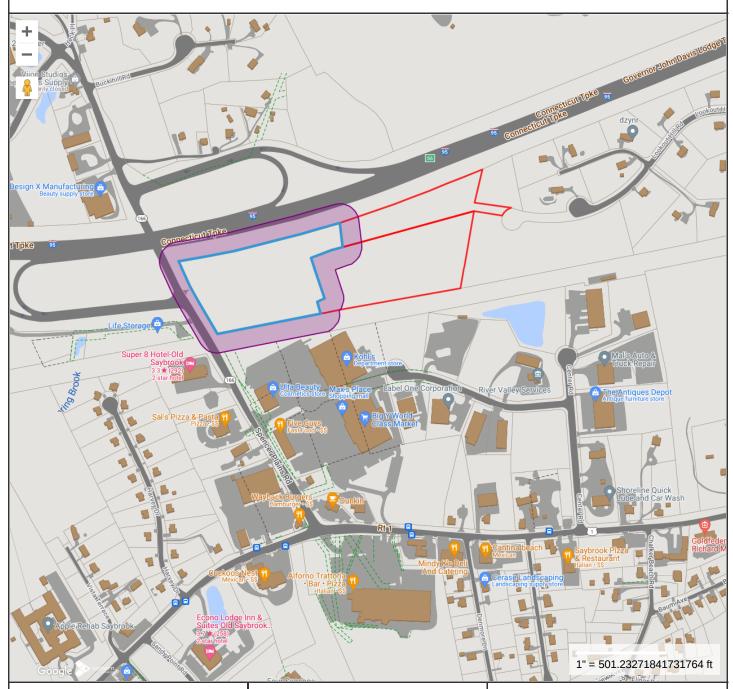
The undersigned, as owner of the property, hereby consents to necessary and proper inspections of the above-mentioned property by agents of the Town of Old Saybrook, the Connecticut Department of Energy and Environmental Protection and the U.S. Department of Agriculture, Natural Resources Conservation Service, at reasonable times, both before and after a final decision has been issued by the Old Saybrook Inland Wetlands and Watercourses Commission.

I understand the Old Saybrook Inland Wetlands & Watercourses Regulations, have had an opportunity to review these regulations and understand that these regulations regulate activities conducted on my property. In the event this application is approved and the property subsequently is transferred to another owner, I understand that it is my responsibility to advise the new owner in writing that an Application for Permit Transfer must be submitted to the Inland Wetlands & Watercourses Commission in order for the permit issued to remain valid.

Signed:	Doug	Date:	4-4-24	
8				

52 Spencer Plain Rd OS Adjacent Property Owners						
ID	Site Address	Owner Name	Owner Address	Owner City	Owner State	Owner Zip
033-001-0001	30 LOOKOUT HILL RD	OLD SAYBROOK TOWN OF	302 MAIN ST	OLD SAYBROOK	CT	06475
033-001	31 LOOKOUT HILL RD	OLD SAYBROOK TOWN OF	302 MAIN ST	OLD SAYBROOK	CT	06475
	I-95 & Route 66	Connecticut DOT				
		Amtrack - Railroad				

# 52 Spencer Rd OS Adjacent Property Owners Map



# Property Information

Location Owner

Property ID 025/027-0000 52 SPENCER PLAIN RD ORTHO SAYBROOK LLC



#### MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Town of Old Saybrook, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 06/13/2023 Data updated 2021

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# **CLAEngineers**, Inc.

Civil • Structural • Survey

317 MAIN STREET • NORWICH, CT 06360 • (860) 886-1966 • (860) 886-9165 FAX

May 11, 2022

Robert Landino SPR OASIS LLC PO Box `1225 Westbrook CT 06498

Re: 52 Spencer Plains Rd Old Saybrook, CT CLA –7154

Dear Mr. Landino:

At your request CLA Engineers has verified the delineation of the inland wetlands at the referenced site and assessed the site to provide a basis for determining the potential for impacts to inland wetlands based on any proposed development. I visited the site in March and April of 2022 to check the inland wetland delineation and gather data to assess the potential for impacts.

# **Site Setting**

The site is located on the south side of I-95 and north of the Amtrak rail line. Currently the parcel is undeveloped except for a graded access from Spencer Plains Rd. The land slopes down steeply from Spencer Plains Rd and slopes down gently from there eastward. This is a drop of approximately 8-10 feet (elevation 26' to elevation 18 to 16) As a result, storm water runoff passes from the site into the wetland on the east side, a wooded swamp hat is tributary to Hagar Creek. The wetland edge appeared stable and no erosion was noted during the site investigation.

The surrounding land use is commercial and is nearly built out with a shopping mall, restaurants, and other commercial uses. There is also infrastructure such as the railroad and I-95 that dissect the landscape. As such both wetland and upland habitats are fragmented. The onsite wetland is part of a large wooded system that continues downstream and site and eventually flows in to Long Island Sound.

### **Soils**

The soils mapped by NRCS are generally consistent with those found on the site and are listed in the table below. Additional descriptive details are provided in Appendix A

Table 1 - Soil Types and Properties at the Spencer Plains Rd Site

Soil Series	Parent Material	<u>Drainage Class</u>	Texture/Characteristics
Timakwa and Natchaug (17)*	Decomposed plant matter	Very poorly drained	Muck
Woodbridge (47)	Glacial Till	Moderately well drained	Fine sandy loam
Paxton and Montauk (84)	Glacial Till	Well Drained	Sandy loam

<sup>\*</sup> Wetland soil type

The wetland soil at the site is of the Timakwa and Natchaug complex. These soils are very deep, very poorly drained and are formed in decomposed organic matter. They often occur in till and outwash plains as is the case on the site, and typically have standing water for significant periods.

The upland soil has formed in glacial till. The Woodbridge soils have a dense layer at 18 to 24 inches below grade and are formed in lodgment till. The Paxton and Montauk soils are formed in either lodgment (dense) till or flow till. They are typically coarser in texture than the Woodbridge soils.

### **Wetland Characteristics**

A survey map of the site existing conditions is attached as Appendix B. At your request, CLA investigated the site during the appropriate season (March and April of 2022) and found that there are no vernal pools present. CLA conducted this survey by walking transects through all of the on-site wetlands to search for egg masses, by dip netting each area of standing water for vernal pool species and by listening for chorusing frogs. This work was conducted on three separate dates.

CLA's investigation also revealed that the two isolated wetlands nearest Spencer Plains Rd have been degraded by dumping. Both wetlands contain bulky wastes such as tires, wood, and metal. Base on field observations, these wetlands do not serve any of the typical primary wetland functions. The wooded wetland that is located on the east of the site, though fragmented, does serve as wildlife habitat and as a groundwater interface. The National Wetlands Inventory (NWI https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/) classifies the eastern onsite wetland as a palustrine wooded scrub/shrub swamp. The NWI's description of that classification is provided below

# I. Classification code: PFO1/SS1E

System **Palustrine** (**P**): The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt. Class **Forested (FO)**: Characterized by woody vegetation that is 6 m tall or taller. Subclass **Broad-Leaved Deciduous (1)**: Woody angiosperms (trees or shrubs) with relatively wide, flat leaves that are shed during the cold or dry season; e.g., black ash (Fraxinus nigra).

Split Class **Scrub-Shrub** (**SS**): Includes areas dominated by woody vegetation less than 6 m (20 feet) tall. The species include true shrubs, young trees (saplings), and trees or shrubs that are small or stunted because of environmental conditions.

Split Subclass **Broad-Leaved Deciduous (1)**: Woody angiosperms (trees or shrubs) with relatively wide, flat leaves that are shed during the cold or dry season; e.g., black ash (Fraxinus nigra).

Water Regime Seasonally Flooded/Saturated (E): Surface water is present for extended periods (generally for more than a month) during the growing season, but is absent by the end of the season in most years. When surface water is absent, the substrate typically remains saturated at or near the surface.

On-site observations verify that the wetland meets the NWI categorization of palustrine wooded/scrub shrub swamp. The vegetation is very typical of local shrub swamps with alder (alnus rugosa), sweet pepperbush (Clethra alnifolia), red maple saplings (Acer rubrum) spice bush (Lindera benzoin), buttonbush (Cephalanthus occidentalis) dominating the shrub layer and herbaceous plants such as skunk cabbage (Symplocarpus foetidus) and cinnamon fern (Osmunda cinnamomea) at ground level. As indicated above, the wetland soil has a high percentage of organic matter and a mucky texture.

No Connecticut protected species are known to be present on the site per the December 2021 update of the CTDEEP NDDB.

# **Summary**

The site was investigated and the mapped wetland boundaries were found to be correct. No vernal pools were found on the site. The two isolated wetlands nearest Spencer Plains Rd. have been degraded and do not have primary wetland functions; the wetland on the eastern side of the site, though fragmented, provides typical wetland functions.

Sincerely,

Robert C. Russo CSS

# Appendix A Soils Data

# MAP LEGEND

#### Special Line Features Streams and Canals Interstate Highways Aerial Photography Very Stony Spot Major Roads Local Roads Stony Spot US Routes Spoil Area Wet Spot Other Rails Water Features **Fransportation** Background W 8 ŧ Soil Map Unit Polygons Area of Interest (AOI) Miscellaneous Water Soil Map Unit Points Soil Map Unit Lines Closed Depression Marsh or swamp Perennial Water Mine or Quarry Special Point Features Rock Outcrop Gravelly Spot **Borrow Pit** Clay Spot Lava Flow **Gravel Pit** Area of Interest (AOI) Blowout Landfill Soils

# MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

contrasting soils that could have been shown at a more detailed misunderstanding of the detail of mapping and accuracy of soil Enlargement of maps beyond the scale of mapping can cause line placement. The maps do not show the small areas of

Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator distance and area. A projection that preserves area, such as the projection, which preserves direction and shape but distorts Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Survey Area Data: Version 21, Sep 7, 2021 State of Connecticut Soil Survey Area:

Soil map units are labeled (as space allows) for map scales

1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Oct

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Severely Eroded Spot

Slide or Slip Sodic Spot

Sinkhole

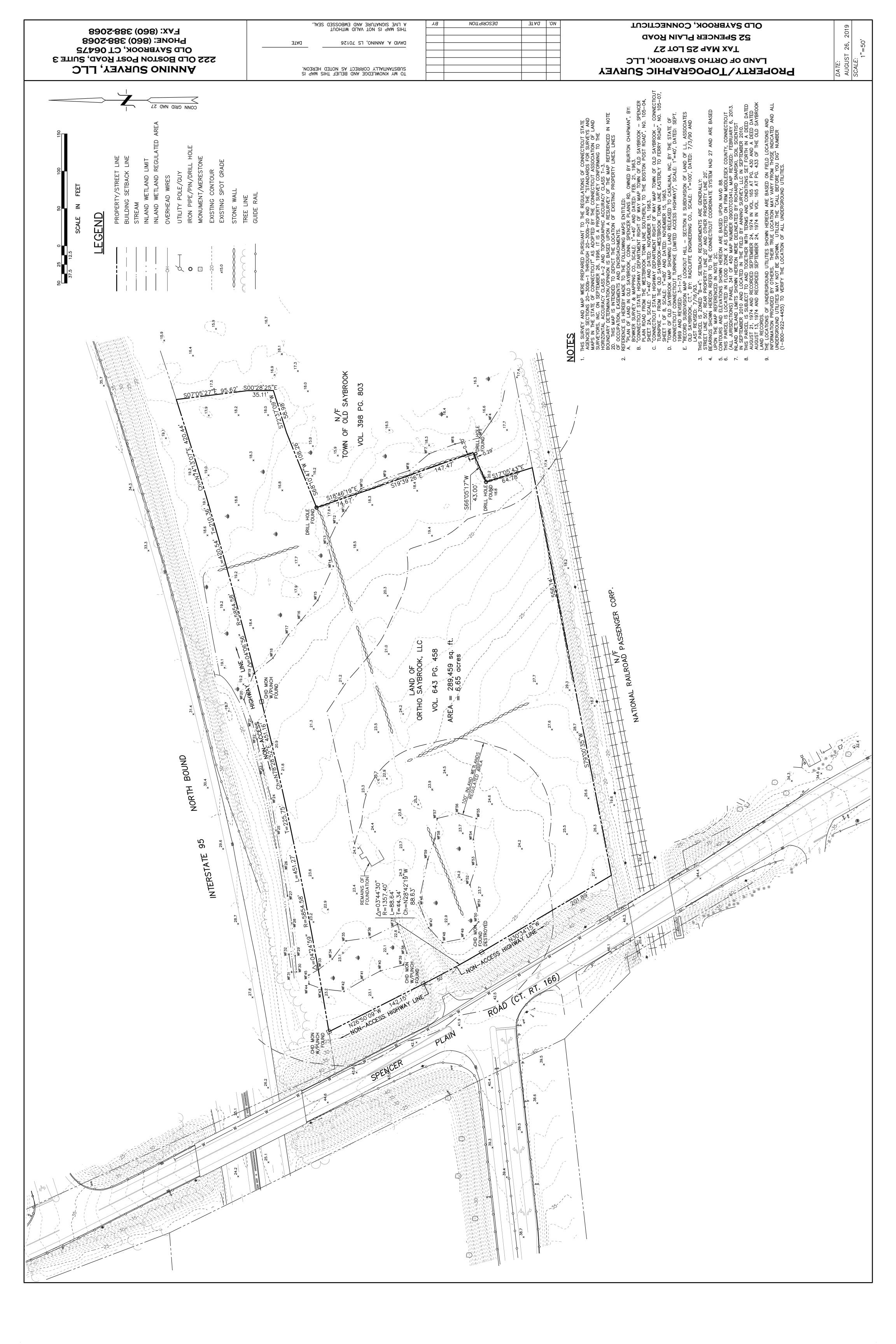
Sandy Spot Saline Spot

Soil Map—State of Connecticut Spencer Plain Rd

# **Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3	Ridgebury, Leicester, and Whitman soils, 0 to 8 percent slopes, extremely stony	6.2	5.0%
15	Scarboro muck, 0 to 3 percent slopes	9.1	7.2%
17	Timakwa and Natchaug soils, 0 to 2 percent slopes	11.9	9.5%
23A	Sudbury sandy loam, 0 to 5 percent slopes	4.8	3.8%
29A	Agawam fine sandy loam, 0 to 3 percent slopes	12.2	9.7%
34A	Merrimac fine sandy loam, 0 to 3 percent slopes	1.0	0.8%
34B	Merrimac fine sandy loam, 3 to 8 percent slopes	2.1	1.6%
38C	Hinckley loamy sand, 3 to 15 percent slopes	4.2	3.3%
46B	Woodbridge fine sandy loam, 0 to 8 percent slopes, very stony	3.3	2.6%
47C	Woodbridge fine sandy loam, 3 to 15 percent slopes, extremely stony	1.2	1.0%
61B	Canton and Charlton fine sandy loams, 0 to 8 percent slopes, very stony	13.2	10.5%
73C	Charlton-Chatfield complex, 0 to 15 percent slopes, very rocky	15.1	12.0%
73E	Charlton-Chatfield complex, 15 to 45 percent slopes, very rocky	4.3	3.4%
84B	Paxton and Montauk fine sandy loams, 3 to 8 percent slopes	17.6	14.0%
85B	Paxton and Montauk fine sandy loams, 3 to 8 percent slopes, very stony	10.7	8.5%
305	Udorthents-Pits complex, gravelly	1.5	1.2%
306	Udorthents-Urban land complex	4.6	3.7%
307	Urban land	1.7	1.4%
W	Water	0.9	0.7%
Totals for Area of Interest		125.7	100.0%

Appendix B Survey Map



# **52 SPENCER PLAIN RD**

Location 52 SPENCER PLAIN RD MBLU 025/ 027/ //

Acct# 00357300 Owner ORTHO SAYBROOK LLC

**Assessment** \$534,400 **Appraisal** \$763,400

PID 6190 Building Count 1

#### **Current Value**

Appraisal					
Valuation Year	Improvements	Land	Total		
2023	\$0	\$763,400	\$763,400		
	Assessment				
Valuation Year	Improvements	Land	Total		
2023	\$0	\$534,400	\$534,400		

# **Owner of Record**

Owner ORTHO SAYBROOK LLC Sale Price \$795,000

Co-Owner Certificate

 Address
 410 SAYBROOK RD SUITE 100
 Book & Page
 0643/0458

 MIDDLETOWN, CT 06457
 Sale Date
 08/01/2019

Instrument 00

# **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
LEWIS NOELLE F & OAKES NICOLE I LEWIS-	\$0		0370/0326		06/10/1999

# **Building Information**

# **Building 1 : Section 1**

# Year Built:

Living Area: 0

Building Attributes		
Field	Description	
Style:	Vacant Land	

Model           Grade:           Stories:           Occupancy           Exterior Wall 1           Exterior Wall 2           Roof Structure:           Roof Cover           Interior Wall 1           Interior Wall 2           Interior Fir 1           Interior Fir 2           Heat Fuel           Heat Type:           AC Type:           Total Bedrooms:           Total Bedrooms:           Total Half Baths:           Total Alf Fixtrs:           Total Rooms:           Bath Style:           Kitchen Style:           Num Kitchens           Cndtn           Num Park           Fireplaces           Fndtn Cndtn           Basement		
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Fireplaces Fndtn Cndtn	Cndtn	
Fndtn Cndtn	Num Park	
-	Fireplaces	
Basement	Fndtn Cndtn	
	Basement	

# **Building Photo**



(https://images.vgsi.com/photos/OldSaybrookCTPhotos//default.jpg)

# **Building Layout**

(ParcelSketch.ashx?pid=6190&bid=6190)

Building Sub-Areas (sq ft)	<u>Legend</u>
No Data for Building Sub-Areas	

## **Extra Features**

Extra Features	<u>Legend</u>
No Data for Extra Features	

# Land

Land Use		Land Line Valuation	
Use Code	1300	Size (Acres)	6.89
Description	RES ACLNDV MDL-00	Depth	0
Zone	B-4	Assessed Value	\$534,400
Neighborhood	0375	Appraised Value	\$763,400

# Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

# **Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$763,400	\$763,400
2022	\$0	\$701,400	\$701,400
2021	\$0	\$701,400	\$701,400

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$534,400	\$534,400
2022	\$0	\$491,000	\$491,000
2021	\$0	\$491,000	\$491,000

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