



Gary B. O'Connor
90 State House Square
Hartford, CT 06103-3702
p 860 424 4366
f 860 424 4370
goconnor@pullcom.com
www.pullcom.com

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Via EMAIL:

Jonathan J. Reiner, AICP
Director of Planning
Planning and Development Services
Town of Groton
134 Groton Long Point Road
Groton, CT 06340
JReiner@groton-ct.gov

Mr. John Burt, Town Manager
Town of Groton
45 Fort Hill Road
Groton, CT 06340
JBurt@groton-ct.gov

Re: Text Amendment – Mystic Education Center

Dear Mr. Reiner and Mr. Burt:

This letter is in regard to the Development Agreement (the “Agreement”) entered into by the Town of Groton (the “Town”) and Respler Homes, LLC (“Respler Homes”) on February 11, 2020. As you know the Agreement was preceded by, and informed by, a request for proposal entitled *Request For Proposals, 18-25, Mystic Education Center, Town of Groton, Connecticut* (the “RFP”), issued by the Town on December 15, 2017, for the development of certain State-owned property located on Oral School Road in Groton.

The RFP provides that “the primary objective of both the Town and State is the planned and timely development of this State property in a way that maximizes financial and community benefits.” The RFP further indicates that the Mystic Education Center Project is a “redevelopment effort” and not a “real estate transaction” and that the most likely development scenario is a “mix of complimentary uses.”

In the RFP, the Town acknowledges that a zoning amendment will be needed to accomplish the stated objectives of the RFP:

The property is currently residentially zoned (RU-80), but the Town anticipates a future zoning amendment to address the proposed land use(s) for the selected development project. Although a residential use may be part of a future development, the Town assumes that there may be other suitable uses for the property.

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Respler Homes' successful response to the RFP, dated February 15, 2018, proposed approximately 725 to 850 residential rental units as part of a multi feature mixed use development (the "Project"), which use requires the anticipated zoning amendment.

The Agreement, consistent with these foundational documents, contains at Section 5.02 a provision noting that the Town "shall be responsible for amending its Zoning Regulations to provide for and permit, subject to reasonable conditions and approvals, the development contemplated in this Agreement." The Agreement describes a project that includes the construction of 700 to 850 multifamily living units, a multi-use commercial building and other amenities and infrastructure.

The Town prepared a proposed amendment to the text of the Town's Zoning Regulations (the "Proposed Amendment") after input from numerous stakeholders, including Respler Homes. Unfortunately, the Proposed Amendment has not been approved by the Planning and Zoning Commission. Indeed, an application for approval of the Proposed Amendment has not even been filed, despite widespread discussions at Planning and Zoning Commission meetings and workshops about the Project. Respler Homes has invested substantial resources on project designs, plans, environmental studies, surveys, and the acquisition of additional properties to address concerns of the Town. It remains vested and excited about developing the Project. It is eager to make more investments to ensure the successful completion of the Project. But at this point, absent an approved zoning amendment, Respler Homes finds itself at a standstill. It cannot finalize its development plan or file applications for additional land use approvals and permits without a zoning amendment substantially similar to the Proposed Amendment.

This delay is also problematic, because it has negatively impacted Respler Home's ability to satisfy its obligations under the Purchase and Sale Agreement between Respler Homes and the State of Connecticut, and it has stifled Respler Home's plans to move the Project forward in a productive and orderly manner, consistent with the RFP, its response to the RFP as selected by the Town, and the Agreement.

We appreciate the fact that there has been a great deal of misinformation circulating regarding the Project, some of which has been discussed at Planning and Zoning Commission meetings. We believe that in order for the Planning and Zoning Commission to gain a complete and accurate understanding of the Project, the Proposed Amendment application must be filed.

We respectfully request that the Town file the Proposed Amendment application as soon as reasonably possible.

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Respler Homes remains committed to working collaboratively with the Town to provide the community with a transformative redevelopment project, as contemplated by the RFP and the Agreement.

Best regards,

A handwritten signature in black ink, appearing to read "Gary B. O'Connor", with a long horizontal flourish extending to the right.

Gary B. O'Connor

GBO:jr

cc: Eric W. Callahan, Esq.
Richard Cody, Esq.
Mr. Paige Bronk
Mr. Jeffrey Respler