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**EASTON PLANNING &  
ZONING COMMISSION**

March 24, 2011

Mr. Robert E. Maquat, Chairman  
Easton Planning and Zoning Commission  
225 Center Road,  
Easton, CT 06612

Re: Revised Application of the Proposed "Saddle Ridge" Housing Development, Sport Hill Road and Silver Hill Road, Easton.

Dear Mr. Maquat:

In compliance with Public Act Number 06-53 of the Connecticut General Statutes, the Aquarion Water Company received notification of the application for the above-referenced revised housing development by certified mail on March 7, 2011. As you know, the site of this proposed development is wholly within the watersheds of two of Aquarion's public drinking water supply reservoirs; Easton Lake Reservoir and Aspetuck Reservoir. The Aquarion source protection staff has reviewed the revised project plans and offers the following comments for your consideration.

As we stated in our letter to you of July 29, 2010, regarding the previous application for this development, a fundamental principle of drinking water supply source protection is to limit the density of residential development within public water supply watershed areas to no more than one dwelling unit per two acres of buildable area. We noted in that letter that this watershed protection maxim is clearly stated in the *Conservation and Development Policies Plan for Connecticut, 2005-2010*, as developed by the Office of Policy and Management, and has been repeatedly echoed and reaffirmed by the Connecticut Department of Public Health, the Connecticut Department of Environmental Protection, and the Regional Planning Agency Association of Connecticut.

Aquarion was in strong opposition to the previous Saddle Ridge development application because it proposed a housing unit density of more than twice the maximum development density recommended as appropriate for the protection of water quality and aquatic ecology within public drinking water supply watersheds. The current reapplication, with its minor reduction from 105 to 99 housing units, still proposes to develop this sensitive public drinking water supply area at twice the maximum recommended development density and, consequently, remains an inappropriate and unacceptable development plan for this location.

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In his October 20, 2010 decision in the case of *Eureka V LLC vs the Ridgefield Planning and Zoning Commission* (No. CV 08 4018175S), Superior Court Judge Henry S. Cohn ruled that:

*“Intensive development of the Saugatuck Watershed is contrary to State policy. The weight of evidence indicates that restricting the development of the Saugatuck Watershed lands is necessary for the protection of a substantial public interest. Protection of state water resources is not only consistent with, but also a focus of state laws. The protection of a source of public drinking water clearly outweighs the need for affordable housing. Intensive development of the Saugatuck Watershed poses more than a mere theoretical possibility of harm to the public drinking water.”*

Judge Cohn reached this important decision in spite of the fact that the proponents of the Eureka development had gone to great lengths to point out that more than five miles separated their project site from the Saugatuck Reservoir, and that most pollutants are diluted or otherwise mitigated as they travel through the environment. Judge Cohn was not swayed by this argument, however, and cited the studies and principles presented by Aquarion and the Connecticut Department of Public Health regarding the cumulative adverse effects to water quality that have been proven to be associated with high-density development. These studies conclude that, regardless of their separating distance from a reservoir, high-density developments are inappropriate within public drinking water supply watershed areas because of their known, cumulative adverse effects on water quality.

The Town of Easton plays a vital role in the provision of pure drinking water for many thousands of Fairfield County residents, with approximately 80% of the surface area of the Town contributing drainage to the public drinking water supply. Aquarion’s Aspetuck Reservoir, Easton Lake Reservoir, and Hemlock Reservoir all receive contributing flows from wetlands and watercourses in Easton. The consistently high quality water from Easton wetlands and watercourses is largely due to the Town’s limited development and large-lot residential zoning. Aquarion urges the Town to consider that while the applicants for any one high density development proposal may claim that their particular project will have no measurable effect to the quality of the public drinking water supply, this proposal, if approved, could set the stage for an increased level of development in Easton that would cumulatively prove to be detrimental to water quality within critical public drinking water supply watershed areas.

While Aquarion acknowledges the need for affordable housing in Connecticut, it believes that all residential development proposals, regardless of type, that seek housing densities greater than one dwelling unit for each two acres of buildable area should not be permitted in public drinking water supply watershed areas. As Judge Cohn stated in his ruling; *“The protection of a source of public drinking water clearly outweighs the need for affordable housing.”* Aquarion therefore recommends to the Town of Easton that proposals for high-density residential developments of any type only be considered for

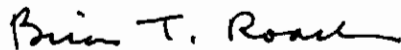
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approval at locations that are not within the watershed of a public drinking water supply reservoir.

Because the development density of this revised proposal still conflicts with fundamental principles of watershed protection and remains, consequently, contrary to the recommendations of the Connecticut Department of Public Health, the Connecticut Department of Environmental Protection, the Connecticut Office of Policy and Management and the Regional Planning Agency Association of Connecticut, the Aquarion Water Company Department of Watershed and Environmental Management strongly urges the Town of Easton not to approve this application.

Aquarion appreciates the opportunity to comment on this project, and we thank you for your help in protecting the public drinking water supply. If you have any questions or if I may be of further assistance, please feel free to call me at (203) 452-3508.

Sincerely,



Brian T. Roach  
Supervisor, Environmental Protection

c: Mr. Len DeJong, Aquarion Water Co.  
Mr. Roy Gosse, Chairman, Easton Wetlands Commission  
Ms. Mary Ann Nusom Haverstock, CT DEP  
Mr. Eric McPhee, CT Dept. of Public Health  
Mr. Matthew Ranelli, Shipman and Goodwin, LLP