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EASTON PLANNING &
ZONING COMMISSION

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

November 15, 2016

Re: Proposed Amendments to Easton Zoning Regulations to allow for the Higher-Density Housing Development known as "Easton Crossing" at Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport 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 above-referenced housing development proposal by certified mail on September 26, 2016. As you know, the entire site is within watersheds of Aquarion's public drinking water supply reservoirs, with drainage from the easterly portion of the property flowing to our Easton Lake Reservoir and drainage from the westerly portion flowing to our Aspetuck Reservoir. The Aquarion source protection staff has reviewed the revised project plans and offers the following comments for your consideration.

The current "Easton Crossing" proposal is the most recent in a series of proposals that have sought to amend the Town of Easton's zoning and land-use regulations in order to allow development of this site at densities higher than those allowed under existing regulations. While the number of dwellings proposed in each of these successive applications has decreased, each proposal – including this current application – has sought to develop the property at densities higher than one dwelling per two acres of buildable area, the widely accepted maximum development density allowable that would still protect the integrity of the public drinking water supply. In Aquarion's view, therefore, the current "Easton Crossing" proposal is, like its precursor proposals, inappropriate within this public drinking water supply watershed area.

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 a high density residential development project proposed within Aquarion's Saugatuck Reservoir watershed would contribute to the degradation of the public drinking water supply if approved. In his ruling against the proposal, Judge Cohn recognized the disturbing precedent that the approval of even a single, higher-density development within a public drinking water supply watershed area would create for further, unsustainable development of watershed areas critical to the public health and the well-being of Connecticut's citizens, and went on to state that;

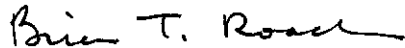
"The weight of evidence indicates that restricting the development of... [public drinking water supply] watershed lands is necessary for the protection of a substantial public interest. Protection of state water resources is not only consistent with, but also a focus of state laws. The protection of a source of public drinking water clearly outweighs the need for affordable housing."

Mr. Robert E. Maquat, Easton Planning and Zoning Commission, November 15, 2016, page 2.

In its "Conservation and Development Policies: The Plan for Connecticut, 2013 – 2018", the Connecticut Office of Policy Management (OPM) states that one of six guiding principles of development for the State is to; "protect and ensure the integrity of environmental assets critical to public health and safety". While the policies and principles established in "the Plan" are not mandatory for Connecticut municipalities, the OPM strongly urges that municipalities adopt development plans that are consistent with the Plan and, in regard to the protection of critical natural resources, the OPM specifically urges municipal land use commissions to; "...fully consider the broader regional implications of their decision-making processes, whenever there are potential impacts to the integrity of environmental assets... that are critical to the well-being of citizens beyond their local boundaries."

In Aquarion's view, the decisions before the Easton Planning and Zoning Commission regarding the proposed zoning amendments that would allow the "Easton Crossing" development to be constructed within a public drinking water supply watershed area are a perfect example of the critical role that municipal land use commissions must play in the long term protection of natural resources critical not only to local residents, but to all Connecticut citizens. Aquarion, therefore, urges the Easton Planning and Zoning Commission to not only deny this application, but to continue to strive to make decisions that will help to ensure the future integrity of this region's drinking water resources.

Sincerely,



Brian T. Roach
Program Manager, Environmental Protection

c: Mr. George Logan, Aquarion Water Co.
Mr. Eric McPhee, CT DPH
Mr. Matthew Ranelli, Shipman & Goodwin, LLP