

December 22, 2106

Coalition to Save Easton
PO Box 151
Easton, CT 06612

RE: Saddle Ridge Developers, LLC
Sport Hill, Silver Hill, Cedar Hill and Westport Roads
Easton, CT

Dear Sirs/Mesdames:

I am writing to provide some additional comments regarding the referenced development.

1. The application is characterized as a re-subdivision. While I am not qualified to address the legal status of that claim, it is clear that this is not a site plan approval. There is essentially no chance that the individual lots will be developed as shown. However, the overall performance of the stormwater management system, including its ability to properly protect downstream drinking water supplies, is predicated on developing the site as shown. More specifically, the stormwater treatment system is designed to accept and treat the flows from a specific amount of impervious area in specific locations. However, once the lots are sold, there are likely to be significant variations in home designs and the layout of the various improvements on the lots. Furthermore, it is reasonably likely that at least some of the homeowners will make improvements, such as swimming pools, decks, patios, additions, etc., that will increase the impervious areas in each individual drainage basin. Under a subdivision or re-subdivision, there is no way to control this aspect of the development.
2. Long term maintenance of the stormwater system is essential to ensure its performance. The proposed system is complex and has many different elements in different locations, some of which drain private roads and some of which drain proposed public streets. Many are in remote locations. A legally enforceable funding, inspection and enforcement mechanism acceptable to the Town Attorney and the Public Works Director is critical to ensure water quality is protected in this drinking water watershed.
3. The plans require direct wetland impacts, and a substantial amount of work in the upland review areas established by the Conservation Commission, yet they have not been reviewed or approved by that commission. The plans are not identical to those reviewed by the Conservation Commission in 2014. They are similar in some respects, but there are many differences, including differences in the activities in the upland review areas. For example some driveways have been relocated and/or reconfigured, some the stormwater treatment basins have been revised, the roof infiltrators have been modified, and low flow wastewater treatment systems have been added to the plans.
4. The Planning and Zoning Commission cannot rely on the wetland permit as the Conservation Commission's report or approval for several reasons. The plans do not meet the conditions of the Conservation Commission 2014 permit, which included modifications to the design of the drainage and stormwater treatment systems, as well as permanent restrictions on impervious cover, restrictions on

construction timing, and individual review of the site plan for each home lot that includes an upland review area. It appears that individual reviews will be required on 44 of the 49 lots. The current application and plans also do not address the condition calling for a third party engineering review of the construction, as required by the wetland permit. The Conservation Commission conditions are also consistent with my recommendations with respect to establishment and permanent funding of a long term maintenance mechanism for the stormwater management system. If it is true that the applicant has maintained an active appeal of the permit, these concerns are especially significant.

5. It appears that many of the lot feasibility plans are dependent upon common grading that extends across proposed lot lines. This creates a reasonable likelihood of conflicts developing when detailed plans are prepared for each of the lots. Neither the plans nor the application materials make it clear who will perform the grading, the timing/sequencing, install and maintain erosion controls, and perform temporary stabilization of these areas. Nor is it clear how the overall earthwork requirements and phasing of the road, drainage and stormwater systems will interact with the development of the individual lots.

I would also note that there remain significant gaps in the site-specific data, which must be rectified to verify the assumptions used in the design of the stormwater management and drainage systems. These gaps include a pollutant loading analysis, identification of the ownership and restrictions on the open space, separate erosion and sediment control plans and financial responsibility for infrastructure versus home sites, etc.

Absent satisfactory resolution of all of the issues identified above, I believe that there is a reasonable likelihood of unreasonable pollution of the wetlands and waters of the state. Because these wetlands and watercourses drain into Easton and Aspetuck Reservoirs, this pollution represents a threat to public health and safety.

Please feel free to call me if you have any questions regarding this analysis.

Yours truly,

A handwritten signature in blue ink, appearing to read 'M. Klein', is positioned above the typed name.

Michael S. Klein, Principal
Soil Scientist
Professional Wetland Scientist