



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

May 9, 2011

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

RECEIVED

MAY 09 2011

EASTON PLANNING &
ZONING COMMISSION

RE: Source Water Protection Review for Saddle Ridge Village, Easton
DPH Project #: 2008-0277

Dear Mr. Maquat:

On March 4, 2011, the Connecticut Department of Health (DPH) received on-line notification for the above noted project in accordance with Connecticut General Statutes (CGS) Section 8-3i and CGS Section 22a-42f. As a result of DPH email correspondence with Town of Easton staff, the applicant's attorney provided the revised application material for the above project on March 22, 2011 which included following material:

- PETITION FOR TEXT AND MAP AMENDMENT, PLAN OF CONSERVATION AND DEVELOPMENT AMENDMENT, SUBDIVISION APPROVAL, AND SITE PLAN APPROVAL OF SADDLE RIDGE DEVELOPERS FOR PROPERTY LOCATED AT SPORT HILL ROAD, SILVER HILL ROAD, CEDAR HILL ROAD, AND WESTPORT ROAD (ROUTE 136), Applicant's Resubmission Materials Dated March 4, 2011
- Site Plan Comparison-Roadway, Buildings, and Basins, Saddle Ridge Village, Sport Hill Road, Silver Hill Road, Cedar Hill Road & Westport Road, Easton, Connecticut Dated March 4, 2011
- Plan set for Saddle Ridge Village, Sport Hill Road, Silver Hill Road, Cedar Hill Road & Westport Road, Easton, Connecticut Dated March 4, 2011

The Drinking Water Section (DWS) has also received a copy of a letter dated March 24, 2011 regarding this project which was submitted to your commission by Brian Roach, Supervisor of Environmental Protection for Aquarion Water Company (AWC).

The DWS Source Water Protection Unit has reviewed this proposal and is providing comments to your Commission under the authority of CGS Section 25-32f. This review was conducted to evaluate potential impacts to the public water supply watershed of the Aspetuck and Easton Lake Reservoirs, sources of public drinking water for over 300,000 consumers served by the AWC Main System.

The resubmission is a modification of Saddle Ridge Developers, LLC application for a zone text and map amendment to rezone the subject property to Housing Opportunity Development district, subdivide the site and site plan approval for 99 homes. Review comments of the original application were submitted to the Easton Planning and Zoning Commission by the DWS in letter dated September 13, 2010 (copy attached).



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The September 13th DWS letter addressed two separate subjects, the first was the consistency of this development with the policies in place to protect public drinking water supplies noted in the State of Connecticut Conservation and Development Policies Plan 2005-2010 (the Plan); the second was three bulleted comments and recommendations intended to protect the public health and the public drinking water supply should this project be approved and constructed. The DWS has reviewed the resubmission and has the following findings and comments for your commission's consideration:

CONSISTENCY WITH STATE POLICIES FOR THE PROTECTION OF PUBLIC DRINKING WATER SUPPLIES

Saddle Ridge Developers has proposed to reduce the number of units from 105 to 99. This change has reduced the density of development of this project from 1.08 units per buildable acre to 1.03 units per buildable acre. This density still exceeds the general density guideline of the Plan which is "require minimum lot sizes of one dwelling unit per two acres of 'buildable' area (excludes wetlands)." This guideline has been developed to support the Plan's policy to "Protect public health by meeting or exceeding state and federal drinking water standards for water supplies, by preventing the degradation of water supplies through the proactive protection of drinking water sources..."

In general DWS concerns pertaining to the impacts of intense development in sensitive source water areas of public drinking water sources focus on water quality and quantity such as:

- Loss of vegetation and topographic changes that may impede or alter natural runoff and groundwater recharge
- Development on steep slopes, where applicable
- Increased impervious surfaces
- Storm water runoff and potential for improperly maintained storm water infrastructure
- Construction impacts i.e., erosion and sedimentation control and fuel spills
- Fertilizer and turf chemical applications
- Potential for improperly maintained septic systems

The resubmission materials indicate that the proposed development will be connected to public water. As stated in the September 13th letter, the Plan discourages the expansion of certain public utilities within public water supply watersheds and recommends: "Introducing water supply mains, sewer collector systems or advanced design wastewater treatment systems only after a thorough evaluation of all private and public alternatives determines these systems are the only feasible solution to an existing pollution problem, and the facility design and capacity will not induce further intensive structural development with attendant surface runoff threats to water supply quality."

Although the density of development of this project has been modified with this resubmission, it remains inconsistent with state policy for the protection of drinking water supply watersheds. The DWS believes that development of this nature is best located outside of a public water supply watershed area.

PROJECT PLAN COMMENTS

The DWS prepared comments and recommendations for the Commission to consider should this project be approved. The following identifies whether these comments were addressed in the resubmission:

- Status of offer of water service: The applicant has neither provided information to verify whether the offer of water service is valid nor whether they will be seeking to develop a separate community public water supply.
- Operation and Maintenance Plan (Post-Construction) General Note #3 on the cover sheet of the plan set: The DWS reiterates its recommendation that a responsible party be designated to implement the operations and maintenance plan for the storm water management system.
- In order to protect the public water supply from accidental spills during the construction phase, the DWS recommends that the applicant prepare a Spill Prevention Plan and an Emergency Spill Contingency Plan. The DWS will review any spill plans upon the Commission's request.

The DWS maintains that consistent with the Plan towns should "Encourage new land uses within existing and potential public water supply watersheds and aquifers that are compatible with and operate in accordance with appropriate preservation and protection management strategies. Guide intensive development away from existing and potential water supply watersheds and aquifers and consider the cumulative effects of incremental growth in state, regional, and local planning programs and regulations." Thank you for the opportunity to comment on this application.

Sincerely,



Eric McPhee
Supervising Environmental Analyst
Source Water Protection Unit
Drinking Water Section

Cc: Brian Roach, AWC
Eric Bernard, AWC
Polly Edwards, Town of Easton



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

March 11, 2010

Polly Edwards, R.S.
Easton Health Officer
Easton Health Department
225 Center Road
Easton, CT 06612

Re: Request for review of Lots 1, 2, 3, 4 and 6 of ~~State Route~~ Cluster Subdivision

Dear Ms. Edwards:

The Department of Public Health Drinking Water Section (DWS) has received your request for comments on Lot 6 of ~~State Route~~ Cluster Subdivision on January 6, 2010, Lot 1 of ~~State Route~~ Cluster Subdivision on January 11, 2010 and Lots 2, 3 and 4 of ~~State Route~~ Cluster Subdivision on March 2, 2010. Specifically, the Easton Health Department requested comments from DWS concerning the density of the proposals considering the parcels lie in a public water supply watershed.

All of these lots are within a larger parcel which is in the public water supply watersheds of both the Aspetuck and Easton Lake Reservoirs, sources of public drinking water for the customers of Aquarion Water Company. The DWS has reviewed these proposals under the authority of Connecticut General Statutes Section 25-32f and has found that these projects when considered as a whole appear to exceed the density guidelines for the protection of public drinking water supply sources as set forth in *State of Connecticut Conservation and Development Policies Plan 2005-2010*. The DWS is also concerned that the source of public drinking water for these projects has not been definitively identified. Please refer to the attached report for details of this review.

If you have any questions, you may contact Pat Bisacky of my staff at 860-509-7333.

Sincerely,

Lori Mathieu
Public Health Services Manager
Drinking Water Section

Cc: Len DeJong, Aquarion Water Company
Brian Roach, Aquarion Water Company
Robert Scully, DPH, Environmental Health Section
Thomas Herrmann, Easton First Selectman
Ted Crawford, Milone and MacBroom
Robert Carlson, ~~State Route~~ Developers



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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM

To: Lori Mathieu, Public Health Services Manager
Eric McPhee, Supervising Environmental Analyst

From: Patricia Bisacky, Environmental Analyst 2 *PB*

Date: March 11, 2010

Subject: Saddle Ridge Cluster Subdivision Lots 1, 2, 3, 4 and 6

Town: Easton

DPH Project#: 2008-0277

The Department of Public Health Drinking Water Section (DWS) received three separate requests for comments from the Easton Health Department. Specifically, the Easton Health Department requested comments from DWS concerning the density of the proposals for Lot 6 of Saddle Ridge Cluster Subdivision, Lot 1 of Saddle Ridge Cluster Subdivision and Lots 2, 3 and 4 of Saddle Ridge Cluster Subdivision considering the parcels lie in a public water supply watershed.

The DWS received the following plan sets for review:

- Saddle Ridge Cluster Subdivision, Lot 1-Appaloosa Condominiums, Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, Easton Connecticut, Dated December 18, 2009
- Saddle Ridge Cluster Subdivision, Lot 6-Morgan Condominiums, Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, Easton Connecticut, Dated December 11, 2009.
- Saddle Ridge Cluster Subdivision, Lot 2-Belgian Condominiums, Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, Easton Connecticut, Dated February 3, 2010
- Saddle Ridge Cluster Subdivision, Lot 3-Clydesdale Condominiums, Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, Easton Connecticut, Dated February 3, 2010
- Saddle Ridge Cluster Subdivision, Lot 4-Fresian Condominiums, Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, Easton Connecticut, Dated February 12, 2010
- The DWS also referred to previous reviews prepared for this particular parcel.

All of these lots are within a larger parcel which is in the public water supply watersheds of both the Aspetuck and Easton Lake Reservoirs, sources of public drinking water for the customers of Aquarion Water Company. Sheet 1 in each of the plan sets provided indicates that there will be a total of nine lots developed on the larger parcel. Pertaining to development in public water supply source areas, the *State of Connecticut Conservation and Development Policies Plan 2005-2010 (the Plan)* states "consider the cumulative effects of incremental growth..." Therefore, this review considers future development of the entire parcel referred to as "Saddle Ridge Subdivision."



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It appears that it is proposed to develop a total of 107 dwelling units on the entire parcel. Previous submissions for this parcel which were reviewed by DWS indicated that the total lot area consists of 115 acres. It is also noted that there appears to be considerable wetlands associated with this parcel, however the DWS has not been supplied with the actual acreage of wetlands on this parcel. State Policy for the protection of public drinking water supply sources recommends that "as a general density guideline for water supply watersheds, require minimum lot sizes of one dwelling unit per two acres of 'buildable' area (excludes wetlands)." Based upon the information available, the proposed development appears to exceed this density guideline.

At this time, the source of public drinking water for this development is unknown. Since Connecticut General Statutes Section 25-32, grants jurisdiction to the Department of Public Health over water supplies and water companies, the DWS will also evaluate potential public water supply scenarios for this proposal.

Scenario 1: At a meeting on November 23, 2009, representatives of Saddle Ridge Developers indicated that a water service commitment for this project had been received. The DWS has not received written confirmation this commitment. In this scenario, water service may be provided by a water main extension from a nearby larger public water system. On page 7, the Plan states: "The state's policy in public drinking water supply watersheds is to discourage the introduction of infrastructure for the purpose of accommodating new development."

Scenario 2: In the event that a water main is not extended to this parcel, development of an on-site water supply may occur on the parcel. Any proposed on-site water supply wells would be required to be compliant with the Regulations of Connecticut State Agencies Section 19-13-B51d and any public water supply wells would additionally be required to be compliant with the Connecticut General Statutes Section 25-33(b) and would require a Certificate of Public Convenience and Necessity for Small Public Water Systems from the Department of Public Utility Control. It is noted that no sources of public water supply are indicated in the plan sets received to date. It is also not known if a compliant water supply system may be sited on this parcel as currently designed. It is recommended that the Easton Health Department consider the potential for on-site water supply development when evaluating whether to approve the proposed subsurface sewage disposal systems.

Based upon the above review, the following findings and recommendations are offered to the Town of Easton Health Department:

- The proposal for Saddle Ridge Subdivision has been reviewed in its entirety because according to *State of Connecticut Conservation and Development Policies Plan 2005-2010* incremental development within public water supply watersheds must be considered.
- The proposed density of development appears to exceed the density guidelines for development within a public water supply watershed as presented in the Plan.
- It is state policy to discourage the introduction of infrastructure to support new development within public drinking water supply watersheds.
- It is recommended that the Easton Health Department consider the potential for on-site public water supply development when evaluating whether to approve the proposed subsurface sewage disposal systems for the development.