Citizens for Easton
P.O. Box 151, Easton, Connecticut 06612

REQUEST FOR REEXAMINATION AND MODIFICATION OF SECTION 5900

Easton Zoning Regulations – Conservation Development

November 3, 2026

To the Members of the Easton Planning and Zoning Commission:

We respectfully urge the Commission to undertake a thorough reexamination and substantive revision of Section 5900, the Conservation Development zoning regulation, originally adopted on July 27, 2019, and subsequently amended on October 1, 2023.

Our concern is not with the concept of conservation development itself. Properly designed, conservation development can be an effective tool for preserving open space and protecting natural resources. Our concern is that Section 5900, in its current form, does not adequately recognize or address the extraordinary environmental sensitivities of Easton, particularly its responsibility for protecting a critical public drinking water supply.

Easton occupies a unique and consequential position in Fairfield County's environmental landscape. Its forests, wetlands, headwater streams, aquifers, and reservoir watersheds contribute to the drinking water supply of more than 600,000 people in 14 Fairfield County towns. Much of Easton lies within designated public water supply watersheds, including highly sensitive AA-classified waters.

Protecting this resource must be the foremost consideration in evaluating any proposed development. Once contaminated or compromised, these water resources may be extraordinarily difficult, if not impossible, to restore.

We believe Section 5900, as presently written, creates opportunities for increased development without providing sufficiently rigorous safeguards for the watershed, wetlands, groundwater, and surrounding natural systems. We therefore ask the Commission to reconsider the regulation's underlying assumptions, its scientific

foundation, and its practical application to Easton's unique environmental conditions.

1. The Scientific Foundation of Section 5900 Requires Reexamination

The public record from the July 22, 2019 Planning and Zoning meeting identifies two principal resources used in support of Section 5900:

● The 2006 Environmental Protection Agency (EPA) study, addressing the relationship between development density and water resource protection.

● The Highstead publication, Conservation for Communities: A Fiscal Case for Municipal Investment in Conservation, which includes a conservation subdivision example, Casa Verde Villages in Millbury, Massachusetts.

We question whether these resources adequately support the application of conservation development principles to Easton's public water supply watersheds.

The Casa Verde example involves homes on approximately 0.2-acre lots, supported by municipal water and sewer infrastructure. Its preserved open space is also continuous and provides public recreational opportunities.

Those circumstances are fundamentally different from Easton, where development relies on private wells and individual septic systems and where there is no comparable municipal water and wastewater infrastructure.

The environmental consequences of concentrating development in an area without these services must be evaluated differently. Studies that assume municipal infrastructure cannot simply be applied to a community whose drinking water protection depends upon the integrity of its land, groundwater, wetlands, and natural drainage systems.

We urge the Commission to examine scientific research specifically addressing low-density development, individual septic systems, groundwater contamination,

and watershed protection in areas requiring private septic systems and public drinking water supply areas.

Conservation regulations cannot be based on a one-size-fits-all model. They must reflect the actual environmental limitations of the land to which they apply.

2. Private Septic Systems and Wells Create Additional Environmental Risks

Section 5900 does not adequately address the cumulative environmental consequences of concentrating additional private wells and individual septic systems within sensitive watershed areas.

Easton has an ordinance prohibiting community septic systems. Consequently, development cannot simply replicate the infrastructure arrangements used in more densely developed conservation subdivisions elsewhere.

Increasing residential density means increasing the number of individual septic systems and private wells. This raises important questions about groundwater quality, septic system capacity, the potential for cumulative contamination, and the long-term sustainability of the underlying aquifers.

These concerns are particularly significant in Zone B, where residents depend upon private wells and where groundwater and surface water systems are interconnected.

In crafting regulation 5900, the Commission should require a meaningful assessment of the cumulative impacts of proposed development on groundwater resources, rather than evaluating individual lots in isolation.

3. Inadequate Protection of Wetlands, Headwaters, and Reservoir Waterways

Easton's wetlands and waterways are not isolated environmental features. They form interconnected natural systems that ultimately contribute to the public drinking water supply.

Many of the waterways in Zone B are classified AA by the Connecticut Department of Energy and Environmental Protection, reflecting their existing or proposed public water supply significance.

The headwaters of these drainage systems are particularly vulnerable. Unlike downstream waterways, they do not benefit from extensive upstream natural buffering. Pollutants introduced at the source can move directly through streams, wetlands, and connected water systems.

Development in these areas can introduce sediment, nutrients, chemicals, and other contaminants through soil disturbance, construction, septic systems, and stormwater runoff.

Section 5900 needs to provide much clearer standards for protecting wetlands and waterways that flow directly into the ~~Easton and Aspetuck~~ Reservoirs.

The regulation should also recognize that the environmental value of wetlands cannot be measured solely by their acreage. Their location, hydrologic connections, surrounding uplands, and role within the larger watershed are equally important.

4. Insufficient Protection for Larger Bodies of Water

Section 5900 does not adequately explain how larger ponds, water bodies, and interconnected aquatic systems will be protected.

The amount of land required to be preserved for conservation should reflect the environmental significance and vulnerability of the water resources being protected.

We recommend that the Commission consider requiring additional non-wetland conservation acreage in proportion to the size and significance of the water body and its contributing watershed.

Protecting only the immediate wetland boundary may be insufficient when surrounding uplands contribute directly to the quality and quantity of the water supply.

5. Stormwater Management and Long-Term Accountability

Stormwater management must be a central component of any development proposal within Easton's public water supply watersheds.

Section 5900 does not sufficiently establish who will own, inspect, maintain, and assume responsibility for stormwater management facilities over the long term.

This is a serious concern. Improperly maintained stormwater basins and drainage systems can become sources of polluted runoff, carrying sediment, petroleum products, heavy metals, and other contaminants into wetlands, streams, and reservoirs.

The Commission should require clearly defined and enforceable provisions establishing:

- Permanent responsibility for stormwater management and maintenance.
- Regular inspection and reporting requirements.
- Adequate financial provisions for long-term maintenance and repairs.
- Accountability that continues beyond the developer's involvement with the property.

A development approval should never leave the town or surrounding residents exposed to the environmental consequences of neglected stormwater infrastructure.

6. Permanent Protection and Management of Preserved Open Space

The designation of land as conservation open space does not, by itself, guarantee meaningful environmental protection.

Section 5900 needs to establish clear standards governing ownership, permanent restrictions, stewardship, maintenance, and enforcement of preserved land.

The Commission should ensure that conservation areas remain protected in perpetuity and that their management is consistent with the environmental purpose for which they were designated.

Open space should not become a designation that allows development while providing insufficient protection for the natural systems it is intended to preserve.

7. Protection of Neighboring Private Wells and Groundwater

The potential effects of development extend beyond the boundaries of the property being developed.

Many Easton residents in Zone B rely upon private wells tapping into fragile groundwater resources. Section 5900 does not adequately explain how these existing water supplies will be protected from potential impacts associated with increased development.

The Commission should require an assessment of potential impacts on neighboring wells, including changes in groundwater conditions and possible contamination.

The fundamental question is one of accountability: Who will be responsible if development compromises neighboring wells or contaminates the aquifer after the developer has completed the project and moved on?

These risks must be evaluated and addressed before development is approved, not after environmental damage has occurred.

8. Traffic, Infrastructure, and Impervious Surface Limitations



Section 5900 also fails to adequately address the cumulative effects of increased residential traffic and the limitations of Easton's existing road infrastructure.

Many roads in Zone B are narrow and were not designed to accommodate substantial increases in residential traffic.

In addition to traffic safety, increased vehicle activity contributes pollutants, including petroleum products and heavy metals, to stormwater runoff.

The regulation should require an assessment of whether existing roads and infrastructure can safely accommodate the additional development being proposed.

Equally important, impervious surface limitations need to be more clearly defined and rigorously enforced.

Additional rooftops, driveways, roads, and other hard surfaces increase runoff, reduce natural infiltration, and can contribute to flooding, erosion, and the degradation of nearby waterways.

As increasingly intense storm events place additional pressure on natural drainage systems, the protection of permeable land and natural water absorption areas becomes even more important.

9. Why Traditional Three-Acre Zoning Provides a More Appropriate Starting Point

We believe that traditional three-acre zoning provides a more responsible and environmentally protective starting point for evaluating development proposals in Easton's sensitive watershed areas.

In Easton, where private wells and individual septic systems are required, the spacing of homes and associated infrastructure is particularly important.

Traditional three-acre subdivision planning, which was established as a foundation of public water supply protection, provides a more conservative framework for evaluating the placement of homes, septic systems, wells, roads, and other improvements while retaining meaningful separation between residential uses.

It also establishes a clear baseline against which the environmental merits of a proposed conservation development can be evaluated.

We are not suggesting that three-acre zoning alone guarantees watershed protection. Rather, it provides an appropriate initial standard that must be supplemented by rigorous wetlands, groundwater, stormwater, and conservation review.

The Commission should not assume that a development proposal becomes environmentally superior simply because it is labeled a conservation development. It must first evaluate whether the application would completely comply with a traditional 3 acre development, with all the requirements that would be entailed.

10. Our Recommended Approach: Require a Three-Acre Subdivision Plan before Considering Section 5900

Rather than relying upon Section 5900 in its current form, we urge the Commission to establish a more protective and transparent approval process.

Specifically, we recommend that applicants first be required to submit a conventional three-acre subdivision plan, with all proposed lots, boundaries, roads, access points, building areas, wells, septic systems, wetlands, and applicable restrictions clearly identified.

This initial plan would establish the development potential of the property under traditional three-acre zoning and provide the Commission and the public with a meaningful baseline for evaluating the proposal.

The application should then undergo appropriate- ensuring that all the requirements of a traditional 3 acre subdivision have been complied with particular attention to:

- Protection of wetlands, headwaters, streams, and reservoir watersheds.
- Groundwater quality and quantity.
- Private well and septic system locations and potential cumulative impacts.
- Stormwater management and permanent maintenance obligations.
- Conservation acreage, location, and permanent protection.
- Traffic safety and existing infrastructure limitations.
- Impervious surfaces and the preservation of natural drainage systems.

Only after this comprehensive review and the necessary approvals should an applicant be permitted to reconfigure the conventional subdivision plan into a Conservation Development under Section 5900.

Any such reconfiguration should be subject to additional environmental safeguards and must demonstrate that it provides genuine, measurable conservation benefits without compromising the protection of the public water supply.

This approach would preserve the opportunity for creative conservation planning while ensuring that environmental protection, rather than development density, remains the controlling consideration.

Conclusion: Protecting Easton's Most Irreplaceable Resource

Easton's rural character is not simply an aesthetic preference. It is a direct reflection of the town's environmental responsibility and its essential role in protecting Fairfield County's public drinking water supply.

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The forests, wetlands, aquifers, headwaters, and reservoirs that define Easton are interconnected natural resources. Their protection requires thoughtful planning, sound science, and regulations specifically designed for the environmental realities of this community.

Section 5900 was adopted with limited public input, and we believe the scientific foundation on which it was constructed does not apply to public water supply watersheds with individual septic systems and private wells.
The environmental safeguards are not adequately protective and warrant a comprehensive reassessment. Its current provisions do not adequately address the particular vulnerabilities associated with private wells, individual septic systems, sensitive wetlands, and public drinking water watersheds.

We respectfully ask the Commission to reexamine Section 5900 and strengthen its provisions before additional development applications rely upon it.

We further urge the Commission to adopt the conventional three-acre subdivision plan as the required starting point for development review, allowing consideration of a conservation development only after comprehensive environmental scrutiny and the establishment of appropriate safeguards.

The responsibility to protect Easton's water resources extends far beyond the boundaries of any individual development application. It is a responsibility to current residents, future generations, and the more than 600,000 people who depend upon these watersheds for their drinking water.

Conservation must mean more than preserving acreage on a subdivision map. It must mean protecting the ecological systems that sustain the land and, most importantly, the water.

We urge the Commission to exercise its responsibility with the care, foresight, and scientific rigor that this irreplaceable resource demands.

Respectfully submitted,

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Board of Citizens for Easton