



# TOWN OF LEDYARD CONNECTICUT PUBLIC WORKS DEPARTMENT

RECEIVED

DEC 01 2025

Land Use Department

EX#19  
741 Colonel Ledyard Highway  
Ledyard, CT 06339  
(860) 464-3238  
pwd@ledyardct.org

November 26, 2025

## Lambtown Road Ext Drainage Improvements (IWWC#25-19SITE)

### Introduction:

As the Commission is aware, this work is situated in a sensitive spot. It has the potential of affecting an important environmental asset that not only bears aesthetic value but serves as a vital habitat for many types of animals, on permanent and seasonal bases. Central to this is the marsh complex formed many years ago by the damming up of Ed Lamb Brook.

This lengthy causeway serves also as the base for Lambtown Rd Extension, the right-of-way for which is under Town ownership. The Town is before you again seeking a permit for remediation of an inadequate and further failing discharge culvert and pipe under this causeway.

I'm aware that many residents are familiar with this road and have personally enjoyed its scenic and wildlife features. I have similar experiences, as well. I have directed family and others to this spot for its recreational value, and when I used to exercise regularly, living just around the corner, I chose Lambtown Rd Ext as part of my route.

I say this to dispel any notion that the Town would seek to detract in any way from the full health and wellbeing of this natural asset. Our intention to the contrary is to implement measures that would best ensure its security. Our goal, through years of standing by and fine-tuning our approach, is to even minimize any impacts during construction.

### Background:

The discharge inlet structure at Lambtown Rd Ext for the marsh pond in the Ed Lamb Brook watershed was ill-designed and has been inadequate ever since installed. The Town has sought to appropriately manage and improve this situation.

Attached is summary package of information that shows that the Town has demonstrated proactivity about this, and that we have attempted to do this in good faith in meeting fundamental maintenance obligations. You will also see how we have been very accommodating in seeking to accomplish this.

By way of more specific history, here is a summary:

- In late 2001, I became aware of beaver activity at this discharge that only further aggravated matters there. I reached out to the adjacent property owner who was unwilling to allow removal of the beavers in accordance with existing environmental policies, which is the typical and most effective way of managing flooding threats to infrastructure and adjacent property.

In deferring to the property owner's refusal, I agreed to, and secured wetlands permit for, installation of beaver activity mitigation measures. These proved to be wholly inadequate as an intermediate, much less long-term, solution to the problem.

This was only compounded by iterative rounds of installation of the same measure. The non-functioning remnants of these remain as a monument to futility. Just as a note, at this time Lambtown Road Ext was open to and maintained year-round for vehicular traffic.

- As the failure of the flow leveling devices became evident over time and became unmaintainable, I addressed the matter to the Mayor in April 2008, with copies to the Wetlands and Conservation Commissions.
- March 2010 Flood: In mid-March of 2010, SE CT was hit with the worst flood in many years, with more than 7 inches of rain falling in a short span. The widespread damage was so great that associated repairs qualified for FEMA funds. You may recall that one of the biggest regional impacts was the washing out of the bridge over the Mystic River at Rt 184.

In Ledyard, there were numerous locations that required repair, including a modest stretch of Lambtown Rd Ext that was damaged by overtopping due to the inadequacies of the drainage situation at the discharge of the marsh pond. The cost was several thousand dollars, but we were actually fortunate that the damage was leveled out and not concentrated in a narrow trench at the culvert, which would have drained the pond.

Subsequently, the Town pursued a more robust option for dealing with the hydraulic needs at this culvert. Plans were developed in October 2010 that were rejected as an acceptable option and thus never formed the basis of a further remediation initiative.

- July 2013 IWWC Application: After further deliberation, the Town again approached the IWWC with an application for dealing with the inlet vulnerabilities to beaver activity. This involved a solution by Beaver Deceivers International that had been successfully applied in many locations. This initiative was withdrawn under opposition from the James Lamb Family Trust and others due to certain logistical concerns and a number of administrative technicalities.
- Private Maintenance: As part of the broader context, as far as the Town knows (through observation and hearsay), any maintenance being applied to the inlet (i.e., clearing of flow-way) has been on the part of private parties.

Most recently, between November 14, 2025 and November 22, 2025 (the day of the field walk) someone other than Town forces altered the inlet area to the discharge drop inlet allowing freer flows. This dropped the water elevation by at least 6 inches amounting to a reduction in volume in my estimation of more than 3 million gallons. The Town received no complaints about this development.

Though I can't speak to the implications of this activity from a wetland's authorization standpoint, the Public Works Department finds this more ironic than problematic. We have verified that this has restored the water surface elevation to the original and appropriate baseline relative to the present outlet that has served as a benchmark for the present proposal.

#### Road Closure:

In parallel with seeking appropriate improvements to the pond discharge, the Town initiated dialogue concerning closure and possible abandonment of the road itself. This resulted in first the seasonal closure of the road to vehicular traffic, and then, by Town Council resolution, the permanent closure of the road to vehicular traffic as of March 26, 2014.

It presently remains open only to the infrequent use of Public Works vehicles and equipment and the rare occasion of emergency vehicles. Thus, there no longer remains any exposure to vehicular traffic of a routine, general public nature.

#### Present Circumstances:

At the end of February of this year, we were notified of an open hole located at the centerline of the road at the pond discharge culvert location. The corrugated metal pipe had partially failed and collapsed. Public Works mobilized and temporarily repaired the problem in the best way we could to allow structural integrity to be restored. It has held since then, and recent inspection indicated no signs of shifting.

However, this is simply an indicator that this pipe, as typical of so many older corrugated drainage pipes, is beyond the end of its useful life. The fact that this failure has occurred in one spot means that there could be other spots, as well. And the effected repair is only of a temporary patching nature. The pipe was not replaced in the area of failure, anticipating a comprehensive replacement.

This simply adds an additional vulnerability of this crossing to failure. The inlet remains inadequate and hampered by ongoing beaver activity. The proposal is intended to rectify both.

#### Proposal:

The proposed remediation was presented to the Commission on October 7<sup>th</sup> and classified as a class "B" activity. As I had explained, we would target execution of the project in the dry season. Also, as I explained, the design of the outlet structure was carefully derived in consultation with a concrete structure fabricator to meet existing hydraulic features while incorporating hydraulic principles that would accommodate beaver activity and maintain the baseline water level (see attached diagram), which neither the Trust nor the consulting firms it hired seem to understand.

Also, with the closure of the road to vehicular traffic, there is now more flexibility in locating the outlet structure closer to the centerline of the road and away from the pond itself. This affords the opportunity to install it dry, using the embankment as de facto sheeting, so to speak.

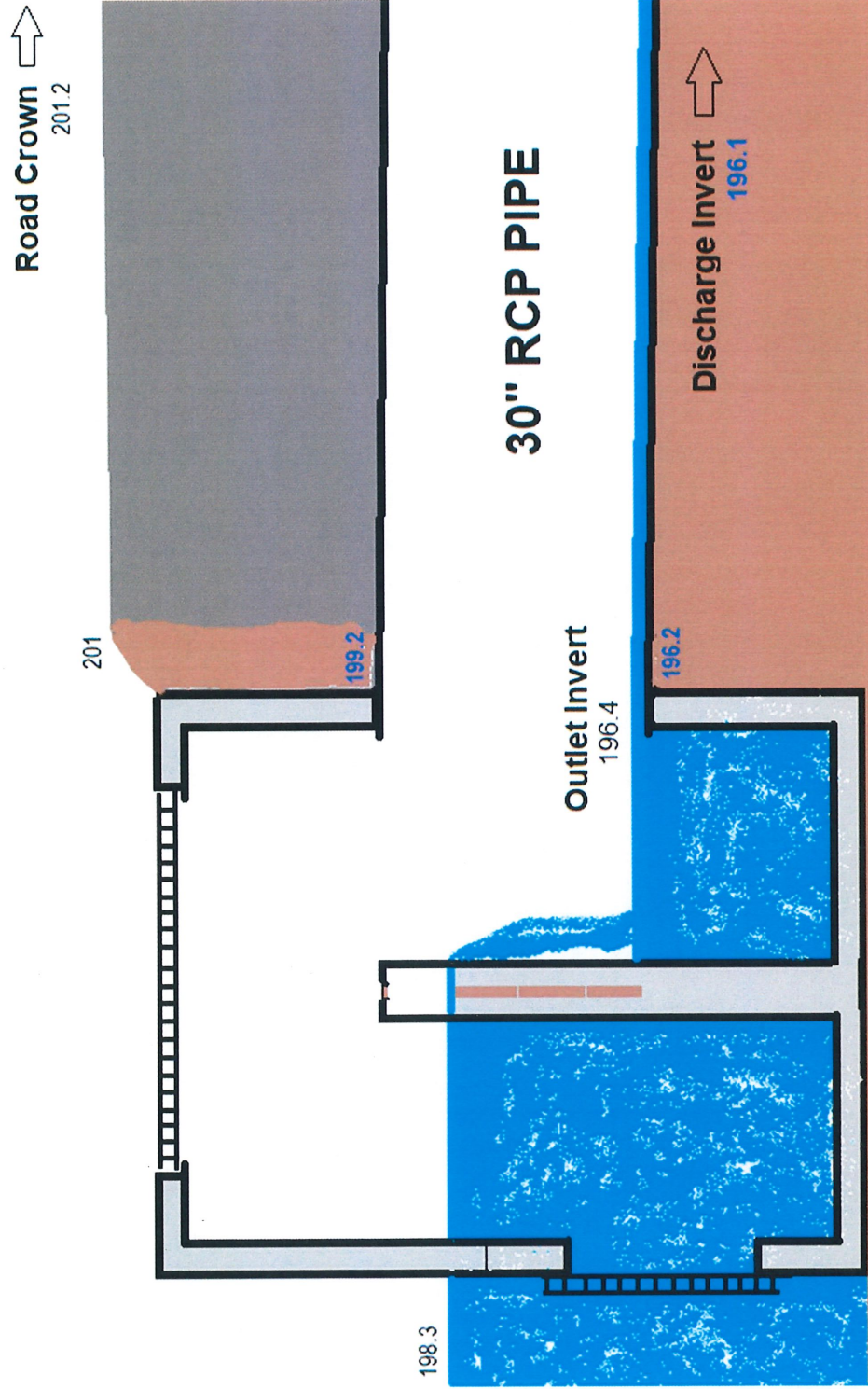
The intent is to install the entire assembly of structure and new pipe with the existing one running and then excavate the embankment sufficiently to expose the outlet structure to a full depth necessary for proper function. The weir boards, that are designed to be the pond elevation control feature, could be adjusted as necessary to meet the precise desired pond elevation.

For an in-house, non-bid, project, there is sufficient detail to accomplish this under proper oversight. As with many projects, there are potentialities that would have to be managed as they emerge (within the overarching intent to preserve pond conditions).



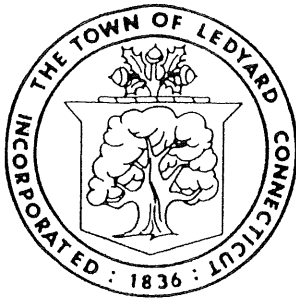
Steven E. Masalin, P.E.  
Public Works Director





IWWC#25-19SITE Notional Functional  
Diagram of Proposed Inlet Structure

Lambtown Road Extension Marsh  
Outlet Drainage Infrastructure  
Background Info



## TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740  
(Fax) (860) 464-1126

December 18, 2001

Mr. Edmund Lamb  
47 Lambtown Road  
Ledyard, CT 06339

Dear Mr. Lamb:

This is a follow-up to conversations we've had about the nuisance beaver situation at the discharge culvert of the marsh pond above Lambtown Road Extension.

The reason for the concern, and the basis for action on the part of the Town, is the threat to the road, specifically the potential of overtopping and/or breaching in the event of a heavy storm. The pond, the section of the road that serves essentially as a dam for the pond and areas downstream of the discharge from the pond are officially within flood zone, and thus are already susceptible to particular impacts from heavy rains. The Town must act in keeping with its fundamental responsibility to road and resident safety.

In light of the situation, in late October I met on site with a biologist from the CT Department of Environmental Protection. He assessed the situation and gave me information on beavers and options of dealing with nuisance problems. I have attached a copy of the package he left with me for your review. It includes information on the various options available.

As conveyed to you, the Town's position and desire is that the beavers be removed from the area. This is based on what would be reasonable to the taxpayers and would also be the most effective way of restoring the discharge culvert to its previous function and of ensuring proper long-term maintenance. Accordingly, if any measure short of removal of the beavers were to be pursued, those interested would be responsible to bear the full installation cost and long-term maintenance burden and costs. This position has been confirmed with the Mayor.

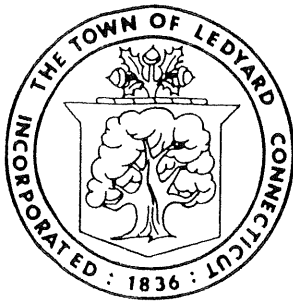
I have also attached a copy of an application for a wetlands permit. I verified with the Wetlands Official that if a special drainage measure were to be installed at the outlet, a permit for the installation activity would be required. You would have to submit your plans to the Wetlands Commission for review and approval.

I have also contacted the Town Attorney to address liability issues relative to the costs of road damage or repair related to inadequacies at the pond discharge related to beaver activity, whether presently in the partially clogged condition or in the future in the event of failure, improper maintenance, or inadequacy of a special drainage measure installed. I will convey this information to you when I receive it.

Sincerely:

Steve Masalin  
Public Works Director

cc: Mayor (w/o attachments)



## TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740  
(Fax) (860) 464-1126

December 19, 2001

Mr. Edmund Lamb  
47 Lambtown Road  
Ledyard, CT 06339

Dear Mr. Lamb:

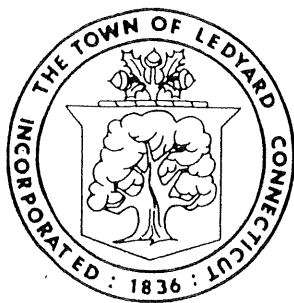
I had an opportunity to talk to the Town Attorney yesterday concerning the liability issue relative to road damage or repair attributable to inadequacies at the pond discharge related to beaver activity. The Town bears fundamental liability for everything in, on, or under right-of-ways for accepted Town roads. In order for any portion of the liability burden to be shifted to another entity, a contract or agreement, explicitly describing the details of the transfer, would have to be executed. Short of pursuing its desire to completely eliminate the source of the present threat, the Town would tenaciously seek through the terms of the agreement to preserve road and public safety and limit taxpayer liability.

Sincerely:

Steve Masalin  
Public Works Director

cc: Mayor





## TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740  
(Fax) (860) 464-1126

January 9, 2002

Mr. Edmund Lamb  
47 Lambtown Road  
Ledyard, CT 06339

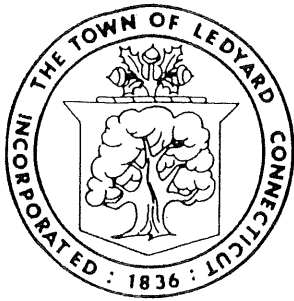
Dear Mr. Lamb:

This is a follow-up to the nuisance beaver situation at Lambtown Road Extension, with respect to the information I had previously provided. I hope you found it adequate in further evaluating options in seeking a solution to the present unsatisfactory condition that exists at the affected culvert. I would like to move forward with a plan for acceptable resolution soon. Please contact me by Friday, January 18, 2002, to discuss your desires and intentions.

Sincerely:

Steve Masalin  
Public Works Director

cc: Mayor



## TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740  
(Fax) (860) 464-1126

January 31, 2002

Mr. Edmund Lamb  
47 Lambtown Road  
Ledyard, CT 06339

Dear Mr. Lamb:

Thanks for getting back to me the week of January 14; I'm sorry I missed your call so we could have directly discussed plans for resolution of the beaver activity issue. As I mentioned in my follow-up phone message, the solution you expressed will not satisfy the Town's requirements. For purposes of reiteration and clarification, the Town is seeking resolution of the problem through one of two alternatives: 1) removal of the beavers (preferred), or 2) installation and maintenance of a preengineered drainage measure of a nature described in, and in keeping with, previous correspondence.

Though there seems to be some stability in the situation at this point, this appears to be due to the limitations on beaver movement due to winter. However, spring will arrive soon, and aggressive beaver activity will resume. Additionally, the present condition of the drainage structure at the culvert under Lambtown Extension needs attention, even apart from the present beaver activity.

Nothing has changed; the present method of addressing the problem is inadequate, and no acceptable alternative to removing the beavers has been presented to the Town. I am particularly concerned about the potential for an unusually heavy storm rainfall as soon as this spring, in light of the large deficit in rainfall we have seen locally over the last year. Action must be planned soon.

Sincerely:

Steve Masalin  
Public Works Director

cc: Mayor  
Tom Wilson, Esq., Town Attorney  
Mrs. Weber

March 13, 2002

Steve Masalin  
Public Works Director  
Town of Ledyard  
741 Colonel Ledyard Hwy.  
Ledyard, CT 06339

Dear Mr. Masalin,

Thank you for requesting a consultation on how the latest technology in water flow control devices can provide long-term solutions to flooding caused by beavers.

The *Beaver Remedies* program was developed because of complaints from town highway department staff, wetlands agents and homeowners about beaver impacts such as flooding and feeding on trees. We understand how road crews have difficulty fulfilling their responsibilities because of the manpower required to maintain water flow through culverts in active beaver habitat areas. In addition to labor costs, your budget also may be negatively impacted by equipment costs from continually lifting grates and removing debris.

Trapping does not provide a long-term solution because beaver from the surrounding area soon move into vacated habitat. In contrast, the water flow control device **does** provide a long term solution by controlling the water level which prevents flooding, prevents damage to the infrastructure, while allowing the beavers to stay in the habitat. The technology works by tricking the beavers' natural instincts to plug holes where they hear and feel the flow of water.

Skip tells me that your area contains a culvert blocked off in front by a dam. We understand that you would like to install a water flow control device to manage the water level and allow the beavers to stay in the surrounding area. *Beaver Remedies* is confident we can offer you a solution to the problem of the blocked culvert.

We recommend the installation of a flex pipe through the culvert. The culvert will be fenced off and the inlet ends of the pipes will be protected by a large basket made of concrete reinforcement wire.

In order to provide you with details for budgeting, I have broken the costs down in several ways:

1. Assembly and Installation of one water flow control device in the culvert (fee includes materials)	<b>\$375.00</b>
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2. If the <b>Town provides the materials</b> , we can provide an itemized list. You can then deduct this amount from the total.	(\$150.00)

The installation also includes two follow-up site inspections during the first year to ensure that it is working properly.

The Town will be responsible for obtaining permission to cross any adjacent private property and to get any permits, if applicable, from the Wetlands Commission.

The Town must agree, in writing, to indemnify the Fund and hold it harmless from any claims, damages, and expenses, including reasonable attorney's fees, that may be incurred on account of any claim based on or arising out of the performance of the work or the installation of equipment described herein. Alternatively, the Association may arrange for The Fund for Animals to be named as an Additional Insured on any new or existing liability policy broad enough to cover the project.

We will inspect the site once during the first year to ensure that the device is working properly, however we cannot be held responsible for vandalism and catastrophic natural events. Spring run-off may result in periodic flooding that would normally occur. Please notify us immediately if you have any problems with the device.

Minimal routine maintenance will be required to keep the water flow device clear of normal debris, especially after spring run-off and fall leaves. We will expect your staff to do this minimal maintenance unless you would like a maintenance agreement with The Fund For Animals.

We would also like to suggest using signage to educate the community about the projects. People sometimes mistake the water flow devices for "beaver traps" and vandalize them. We can provide you with sample wording for such signage if you desire.

If you should have any further questions or need further information, please feel free to contact me at (203) 389-4411.

Sincerely,



Becca DeWeerd  
Urban Wildlife Program Assistant



TOWN OF LEDYARD  
INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)  
APPLICATION FOR PERMIT (Or Commission ruling that a permit is not needed)

Application No. 6-02

Receipt Date 3-26-02

Date Submitted \_\_\_\_\_

Applicant/  
Agent STEVEN E. MASALIN

Owner (if different) TOWN OF LEDYARD, CT

Address 741 COL LEDYARD HWY, LEDYARD, CT

Address of Owner \_\_\_\_\_

Telephone 464-3255

Telephone \_\_\_\_\_

- I have received information on the Army Corps of Engineers permit procedure.
- I have read and have included all the application and site plan requirements in Section 8.0 of the IWWC Regulations
- I have read the attached "Notice to all Applicants" and understand my responsibilities relative to timely submittals of information.

*Steven E. Masalin*

*Wesley J. Johnson, Sr.*

Signature of Applicant/Agent

\*\*\*\*\*

Location of Property Lambtown Road Extension Right-of-Way

Tax Assessor's Map No. 140

Zoning District R-60

Written Description of Proposed Activity Installation of a flow-control measure at the culvert that serves as the discharge of the marsh pond fed by Ed Lamb brook. This is to deal with nuisance beaver activity.

Total Area of Site \_\_\_\_\_

Total Area of Wetlands per Official Inventory Map \_\_\_\_\_

Amount of Fill, in Cubic Yards None

Disturbed Area, in Square Feet 25 or in Acres \_\_\_\_\_

Area Increase/Decrease in Wetlands \_\_\_\_\_ (For Map Amendment Only\*)

Soil Types from USDA Soil Survey \_\_\_\_\_

General Description of Vegetative Cover Roadside vegetation/shoreline

**FOR CLASSIFICATION PURPOSES:**

1. Attach sketch map showing property and area of proposed activity.

**\*REQUIRED PLOT PLAN INFORMATION:**

1. Flagged Wetlands Signed by Soil Scientist.
2. Signature of Surveyor, and Dated.

\*\*\*\*\*

Name and Address of Adjacent Property Owners

JULIA A. WEBER 46,57 LAMBTOWN RD EXT

LAMB FAMILY TRUST 40,60 LAMBTOWN RD

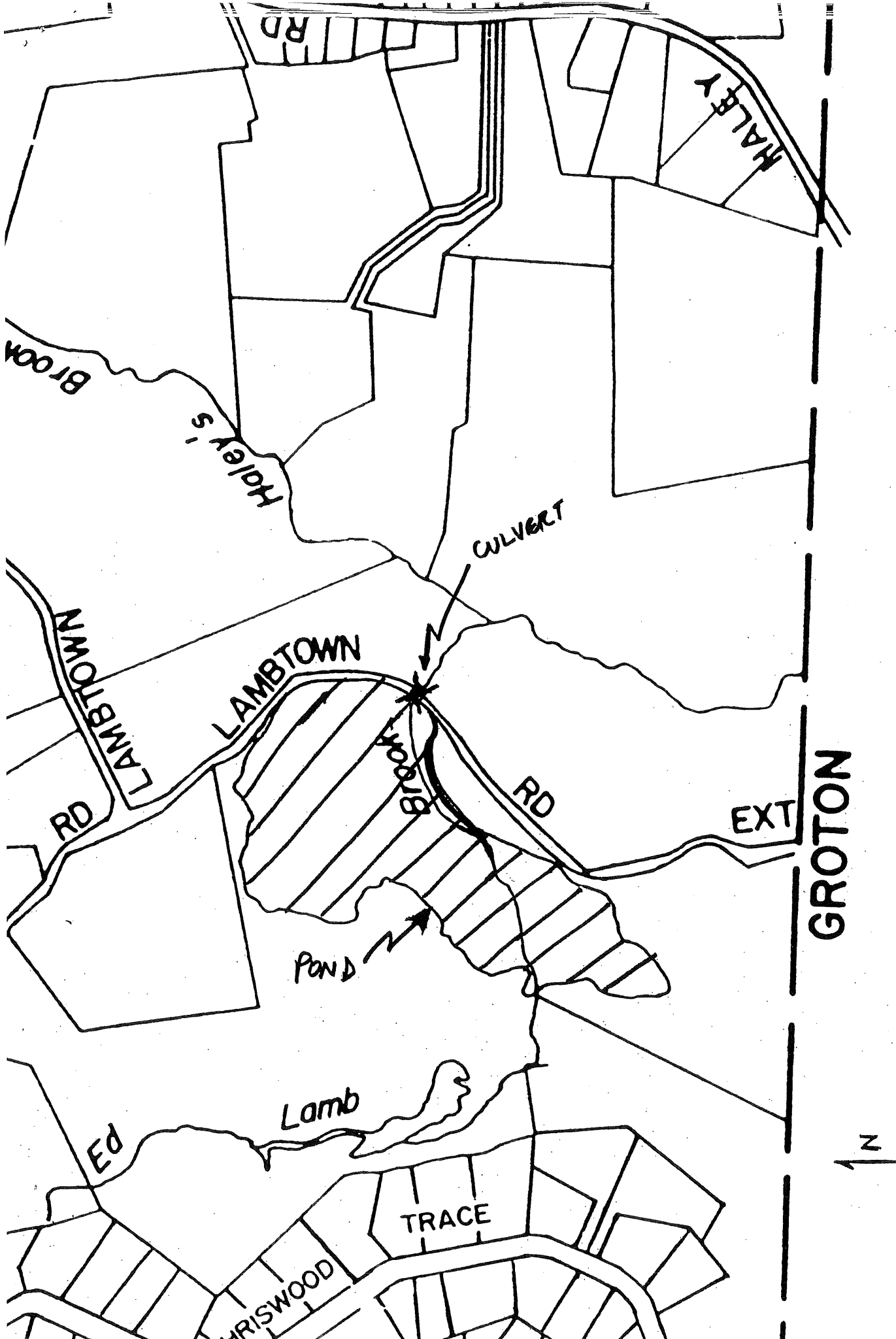
Anticipated Start Date 4/02 Completion Date 5/02

List previous IWW application #'s \_\_\_\_\_

IWW Commission Disposition: IWWC Regulations; Section \_\_\_\_\_ Classification \_\_\_\_\_

Signature of Chair

FEE: \_\_\_\_\_ + \$10.00 State Fee = \_\_\_\_\_ DATE PAID \_\_\_\_\_ RECEIPT # \_\_\_\_\_ 12/12/01

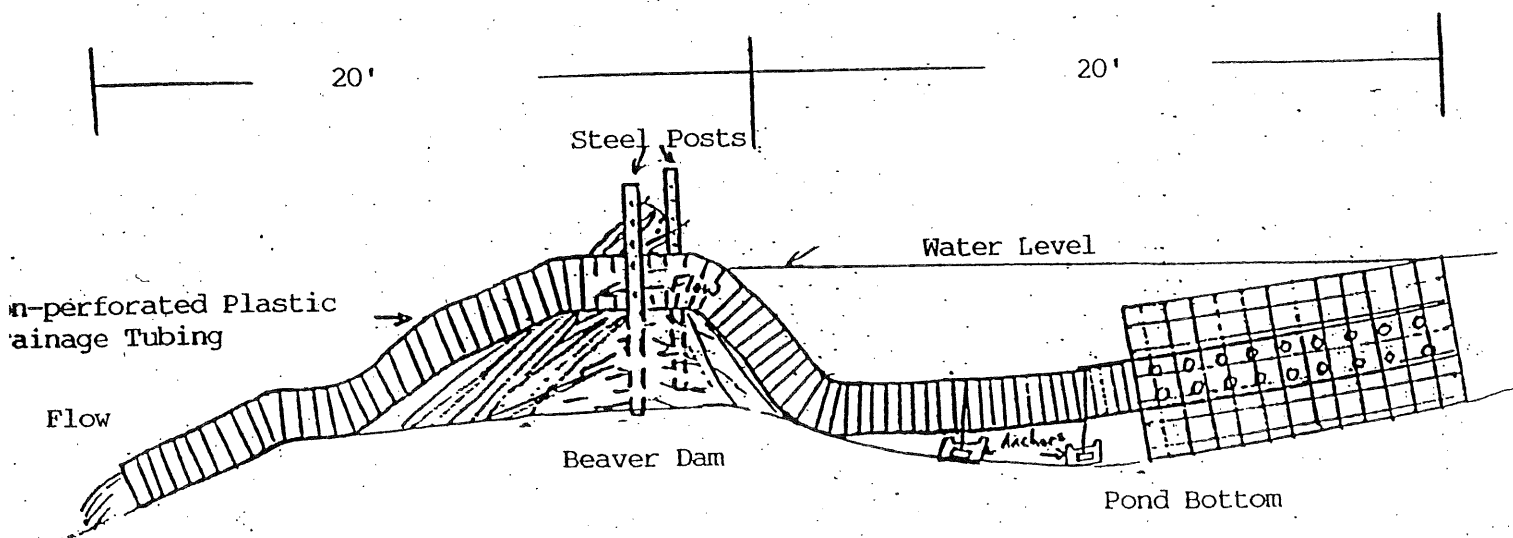




# Division of Fisheries & Wildlife

Chris Thurlow, Manager

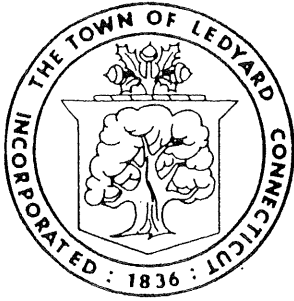
## Central District Beaver Pond Leveler



Central Wildlife District

Temple Street, West Boylston, Massachusetts 01583 (508) 835-3607

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement



# TOWN OF LEDYARD

Inland Wetlands and Watercourses Commission

Ledyard, Connecticut

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740 (Ext. 216 or 240)  
(860) 464-1126 (Fax)

To: Planning Commission

From: Lee Treadway, IWWC Official *LT*

Re: IWWC Application #6-02, Steve Masalin, Town Engineer/Director of Public Works (agent/applicant), Town of Ledyard (property owner), Lambtown Road Extension Right-of-Way, Flow control measure at existing culvert relative to nuisance beaver activity.

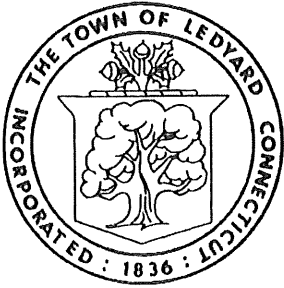
Date: April 10, 2002

Wetlands application #6-02 was classified "B" and approved by the commission at there regularly scheduled meeting on April 2, 2002.

cc: File #6-02

✓ Steve Masalin, Town Engineer/Director of Public Works





**TOWN OF LEDYARD**  
Inland Wetlands and Watercourses Commission  
Ledyard, Connecticut

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740 (Ext. 216 or 240)  
(860) 464-1126 (Fax)

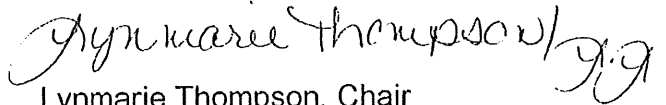
**LEGAL NOTICE**  
**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**NOTICE OF DECISION**

At their regularly scheduled meeting of April 2, 2002, the Ledyard Inland Wetlands and Watercourses Commission rendered the following decision:

**Application #6-02**, Steve Masalin, Town Engineer/Director of Public Works (agent/applicant), Town of Ledyard (property owner), Lambtown Road Extension Right-of-Way, Flow control measure at existing culvert relative to nuisance beaver activity. **APPROVED.**

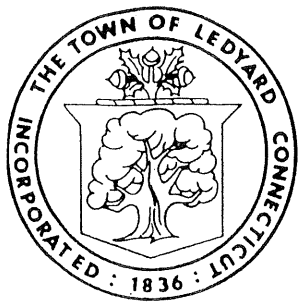
Copies of the application and decision are available for inspection in the Zoning and Wetlands Office, Ledyard Town Hall, 741 Colonel Ledyard Highway, Ledyard, CT.

FOR THE COMMISSION,

  
Lynmarie Thompson, Chair

RECEIVED FOR RECORD  
AT LEDYARD, CT.  
02 APR 10 AM 11:32  
*P. J. K. Kallam*

PLEASE PUBLISH IN THE "THE DAY"  
FRIDAY, APRIL 12, 2002



## TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1541  
(860) 464-8740  
(Fax) (860) 464-1126

April 15, 2002

Ms. Becca DeWeerd  
The Fund for Animals, Inc.  
P.O. Box 3665, Amity Station  
New Haven, CT 06525

Re: Flow Control Device Installation

Dear Ms. DeWeerd:

I have collected all the requisite approvals and documentation to proceed with the installation of the proposed flow control device at Lambtown Road Extension. I have enclosed a purchase order for the work, as proposed, and copies of other relevant documentation. I have reviewed the paperwork you sent me on suggested signs. At this time we will hold off, but will probably discuss the matter further at the point of installation. Please contact me to coordinate scheduling. You may reach me at 860-464-3255. Thanks.

Sincerely,

Steve Masalin  
Public Works Director

cc: Mayor  
Inland Wetlands & Watercourses Commission  
Ed Lamb

**The Fund for Animals**

we speak for those who can't

Urban Wildlife Office PO Box 3665 Amity Station, New Haven, CT 06525

! 203 389 1050 ! T 203 389 4411 ! 1 203 389 5544

www.fund.org

Urban Wildlife Director  
Laura SimonWildlife Program Assistant  
Bocca DeWeerdFounder  
Cleveland Amory  
President  
Marion Probst

June 23, 2003

Mr. Steve Masalin  
Public Works Director  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

Dear Mr. Masalin,

We are pleased to be able to further assist you in solving your beaver problems. Skip tells me that the water level has risen a few inches at your site, and we need to add another flex pipe in order to increase the water flow.

The estimated cost of installation is as follows:

1. Assembly and Installation of water flow device (fee includes materials)	\$218.20
--	----------

If the Town would like to supply the materials, the total cost of the installation would be **\$140.60**, and the following materials would be required:

- One and a half (1 1/2) 20-foot sections of 8" single wall perforated flex pipes
- 3 sheets of concrete reinforcement wire
- One (1) street sign post

Please understand that this figure is an estimate, and the actual price may vary somewhat depending on the materials used, logistical complications, or any additional time needed for installation. The installation also includes one follow-up site inspection during the first year to ensure that it is working properly.

The Town will be responsible for obtaining permission to cross any adjacent private property and to get any permits, if applicable, from the Wetlands Commission.

The Town must agree, in writing, to indemnify the Fund and hold it harmless from any claims, damages, and expenses, including reasonable attorney's fees, that may be incurred on account of any claim based on or arising out of the performance of the work or the installation of equipment described herein. Alternatively, the Town may arrange for The Fund for Animals to be named as an Additional Insured on any new or existing liability policy broad enough to cover the project. I have included a sample letter of

indemnification should the Town wish to sign that. **The Fund For Animals must receive either document *before* the scheduled date of installation.**

We will inspect the site once during the first year to ensure that the device is working properly, however we cannot be held responsible for vandalism and catastrophic natural events. Spring run-off may result in periodic flooding that would normally occur. Please notify us immediately if you have any problems with the device.

Minimal routine maintenance will be required to keep the water flow device clear of normal debris, especially after spring run-off and fall leaves. We will expect your staff to do this minimal maintenance unless you would like a maintenance agreement with The Fund For Animals.

If you should have any further questions or need further information, please feel free to contact me at (203) 389-4411.

Sincerely,



Becca DeWeerd  
Wildlife Program Assistant



# THE HUMANE SOCIETY OF THE UNITED STATES

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Paul G. Irwin

*Presidents Emeriti*

Murdaugh Stuart Madden, Esq.

*Vice President & Senior Counsel*

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Seal and FSC certified, with soy-based ink.

June 1, 2007

Mr. Steve Masalin  
Public Works Director  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

Dear Mr. Masalin,

As you know, Skip Hilliker was out at your problem beaver site last month and did determine that the device he installed several years ago needs to be replaced. I know Skip does not intend to install the new device for a few months, but I wanted to go ahead provide you with the written estimate now.

Skip recommends removing the existing device, fencing off the culvert, and inserting one 8"-diameter pipe and one 12"-diameter pipe through the fencing and into the culvert.

The estimated cost of installation of the water flow control device is **\$286.90**. Please understand that this figure is an estimate, and the actual price may vary somewhat depending on the materials used, logistical complications, or any additional time needed for installation.

We ask that you be responsible for obtaining permission to cross any adjacent private property, as well as any permits deemed applicable by your town's Wetlands Commission.

We also require an agreement in writing that indemnifies The Humane Society of the United States and holds it harmless from any claims, damages, and expenses, including reasonable attorney's fees, that may be incurred on account of any claim based on or arising out of the performance of the work or the installation of equipment described herein. Alternatively, you may arrange for The Humane Society of the United States to be named as an Additional Insured on any new or existing liability policy broad enough to cover the project. For your convenience, I have enclosed a general liability waiver that many towns and homeowners have elected to use in the past. Please note that The Humane Society of the United States must receive either document *before* the scheduled date of installation.

We will inspect the site once during the first year to ensure that the device is working properly, however we cannot be held responsible for vandalism, modifications made by outside parties, and catastrophic natural events. Spring run-off may result in periodic flooding that would normally occur.

**Promoting the protection of all animals**

**Connecticut Field Office • PO Box 3665 Amity Station, New Haven, CT 06525**

**203-389-4411 • Fax: 203-389-5544 • [www.hsus.org](http://www.hsus.org)**

Minimal routine maintenance will be required to keep the water flow device clear of normal debris, especially after spring run-off and fall leaves. We will expect you to do this minimal maintenance unless you would like a maintenance agreement with The Humane Society of the United States.

The HSUS offers yearly maintenance contracts for our water flow control devices at a cost of \$175/year. Under a maintenance agreement, the HSUS will periodically monitor the device to make sure it has not been damaged, and clear any debris that has accumulated around the device.

The HSUS will guarantee the water flow control device for one year *provided that the HSUS performs the maintenance on the device*. If for any reason the device is damaged or does not meet your satisfaction, we will either fix the device at no cost to you, or refund you the initial cost of labor for the installation of the device.

Please let us know if you have any questions. You can reach us at 203-389-4411.

Sincerely,

  
Becca DeWeerd

**LIABILITY WAIVER**

I, Steven E. Maslin, <sup>LEDYARD PUBLIC WORKS DIRECTOR</sup> STEVEN E. MASLIN, agree to indemnify

The Humane Society of the United States and hold it harmless from any claims, damages, and expenses including reasonable attorney's fees that may be incurred on account of any claim based on or arising out of the performance of the work or the installation of equipment described in the letter from The Humane Society of the United States dated June 1, 2007. In addition, The Humane Society of the United States cannot be held responsible for vandalism, modifications made by outside parties, catastrophic natural events, or periodic flooding that would naturally occur as the result of spring run-off.

# Memorandum:

**To:** Fred B. Allyn, Jr., Mayor  
**From:** Steve Masalin, Public Works Director *sm*  
**Date:** April 8, 2008  
**Re:** Lambtown Road Extension Predicament  
**cc:** Inland Wetlands & Watercourses Commission, Conservation Commission

---

The purpose of this memo is to bring your attention to the ongoing impacts of beaver activity at the discharge culvert of the marsh pond at Lambtown Road Extension, including the imminent threats to public access, the water bodies themselves, and the watershed. I have attached some of the prior paper trail addressing this matter to provide context.

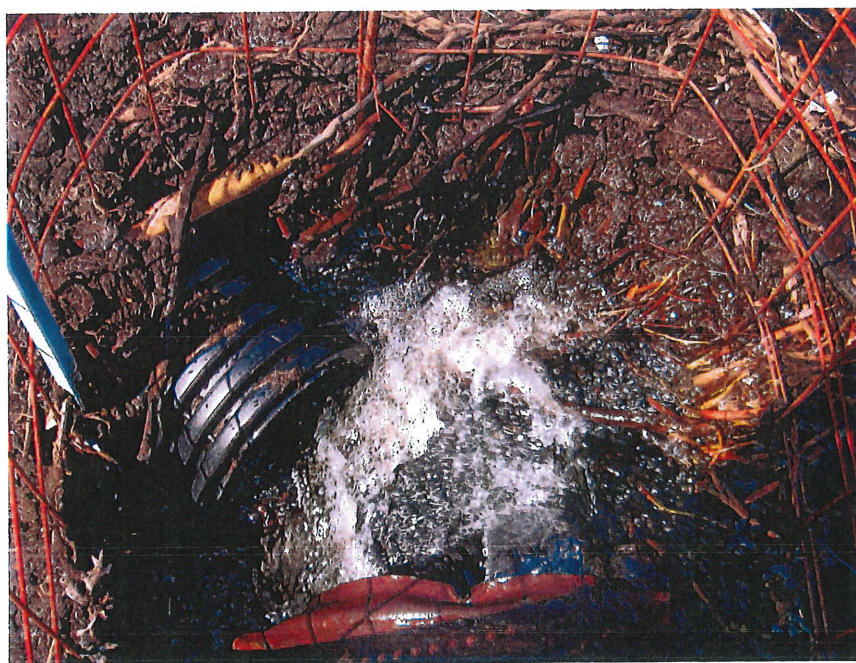
As you see from the attached documentation, this issue became prominent in 2001. It became evident sometime in mid-2001 that the existing rudimentary wooden control structure at the inlet of the discharge culvert was being compromised by beaver activity in a way that needed consistent, ongoing maintenance. At the time, this maintenance activity was being undertaken by the property owner, Mr. Edmund Lamb. I entered into a dialog with Mr. Lamb as an advocate for the Town's and taxpayers' legitimate interests relative to road safety/access and flooding.

Mr. Lamb was averse to removal of the beavers, so we agreed to implement measures that would allegedly preserve adequate discharge flow capacity in spite of beaver presence and activity. I acquired a wetlands permit for the measures, and Mr. Skip Hilliker, acting as an agent of The Fund for Animals at the time, installed them at Town expense. Mr. Hilliker is still the liaison for ongoing maintenance of the measures, though these efforts now fall under the cognizance of The Humane Society of the United States.

Since the original installation of the flow control devices several years ago, progressive deterioration of the effectiveness and capacity has resulted in a greater threat condition today than originally. Over time, the original installation silted in and had to be replaced with a new, lower capacity arrangement of piping. Additionally, the absolute area of the opening at the discharge culvert inlet is severely reduced. I am not engaging in hyperbole when I say that a catastrophic washout of the roadway at the discharge culvert is likely only one big storm away. Less than a year ago, the runoff of only a modest storm event caused a significant washout that breached about seven feet of the road. Efforts of the property owner to stabilize the situation were followed up by an overtime effort by Town forces using heavy equipment to restore the road and discharge area.



The following photographs taken April 7, 2008 should help give a visual impression of the current situation; a site walk would be most effective.





The black plastic pipes and the mesh fencing visible in the pictures constitute the device. In combination, they are intended to ensure a certain residual amount of flow capacity even in the presence of beaver activity. The mesh keeps the beavers away from the discharge pipe inlet and the black flex pipe allows continuous flow from the pond to the discharge inlet. The capacity of the flow device is dictated by the combined capacities of the black pipes and the degree to which the black pipes are free of silt and other obstructions. In the event of excessive flows, the pond level would rise to the point of overflowing directly into the mesh area. This overflow level depends on the height of obstructions (beaver berm) around the mesh area. A careful examination of the pictures shows that pond water is discharging via a low spot in the berm close to the road. What one cannot see is that the large black pipe is plugged and only the two small pipes parallel to the road are conveying any water. The pictures also show the placement of hay bales to stabilize an area that had started washing out again during a recent storm event. They were placed by a resident who has also been periodically clearing some of the daily debris packed against the structure by beavers.

Coupled with the risk to the road imposed by the activity is the potential for substantial wetlands and watercourse damage that a road washout would cause. If the road failed, the pond would almost fully drain, exposing downstream properties to flooding, and filling the immediate discharge stream and wetlands areas with the gravel tailings. Displaced stone and gravel from the most recent partial washout are evident in the pipe discharge area.

Particularly in light of the Town's liability in this matter, I recommend that this situation be addressed comprehensively at this point. A meeting of appropriate parties should be convened very soon to seek a consensus on a plan of action that more effectively addresses this predicament, in light of the threat and the complexity. I see at least three possibilities:

1. Replace the existing culvert and outflow device with one of more robust construction, and remove the beavers.
2. Replace the existing culvert and outflow device with one of more robust construction that can better withstand beaver activity, and which can be more readily and permanently maintained. This option may involve a legal agreement over liability with the property owner.

The material cost of each of the above alternatives is likely to be at least modest.

3. Return Lambtown Road Extension to private ownership. The Town originally took public ownership of the road in 1858 (see Land Records, Vol. 3, pg. 171). This would strictly address the Town road liability issue, and leave it to the property owners to address the practicalities of beaver activity to their satisfaction (within the context of wetlands commission oversight).

Beyond the immediate threat relative to Lambtown Road Extension, the problem will likely spread to other areas of the Haley's Brook watershed. On this point, I believe that the Town of Groton has already had to deal with the impacts of beaver activity downstream of the pond at culverts for Haley's Brook under Quaker Farm Road. In the Town of Ledyard there are two upstream culvert crossings under Lambtown Road associated with Haley's Brook that could be affected by beaver activity in the watershed.



# Town of Ledyard

## Geographic Information System (GIS)

Date Printed: 09-Apr-2008



### **MAP DISCLAIMER - NOTICE OF LIABILITY**

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Ledyard and its mapping contractors assume no legal responsibility for the information contained herein.

Scale 1 inch = 537 feet





# Town of Ledyard

## Geographic Information System (GIS)

Date Printed: 09-Apr-2008

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Scale 1 inch = 511 feet

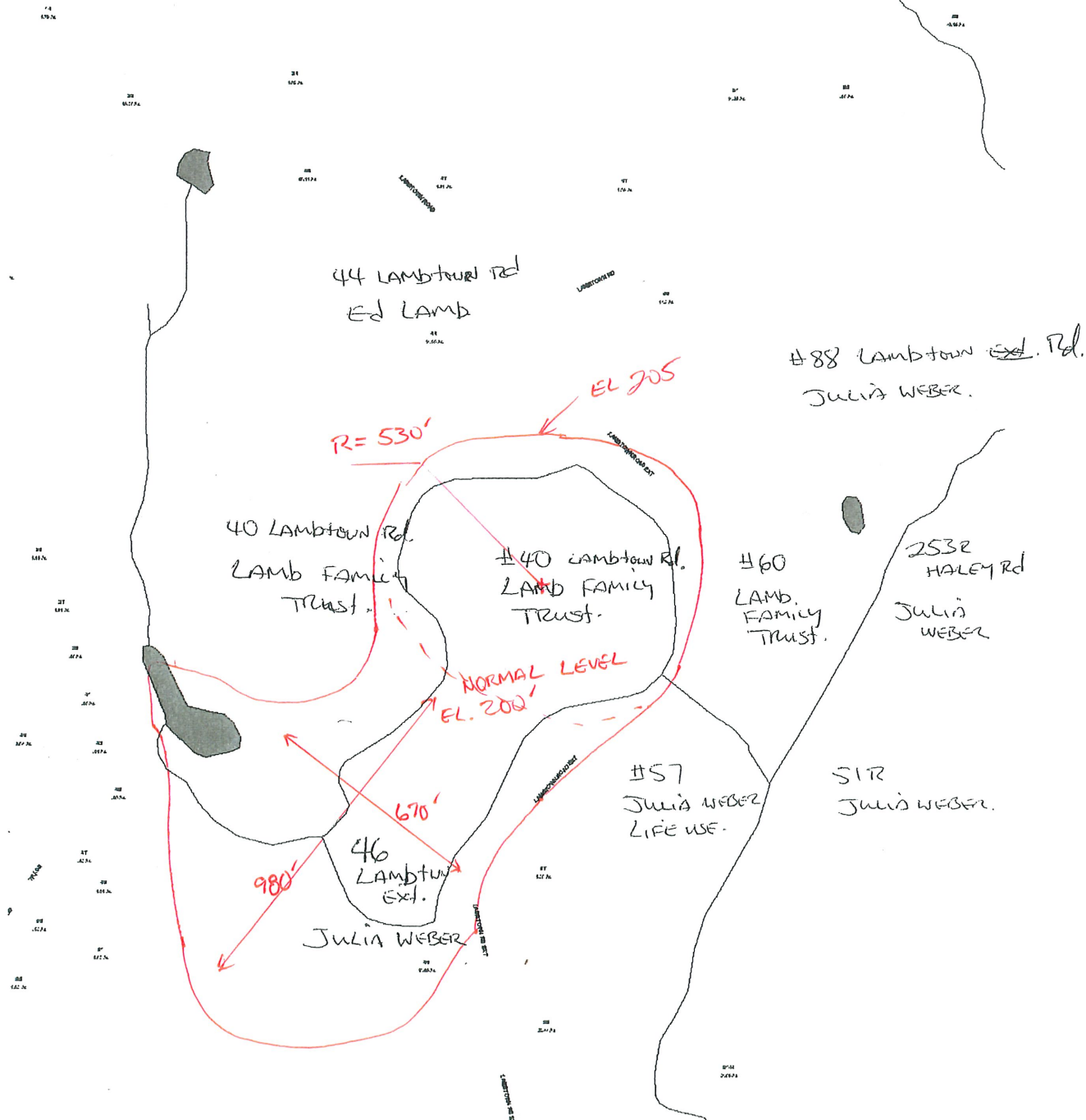




# Town of Ledyard

## Geographic Information System (GIS)

Date Printed: 09-Apr-2008



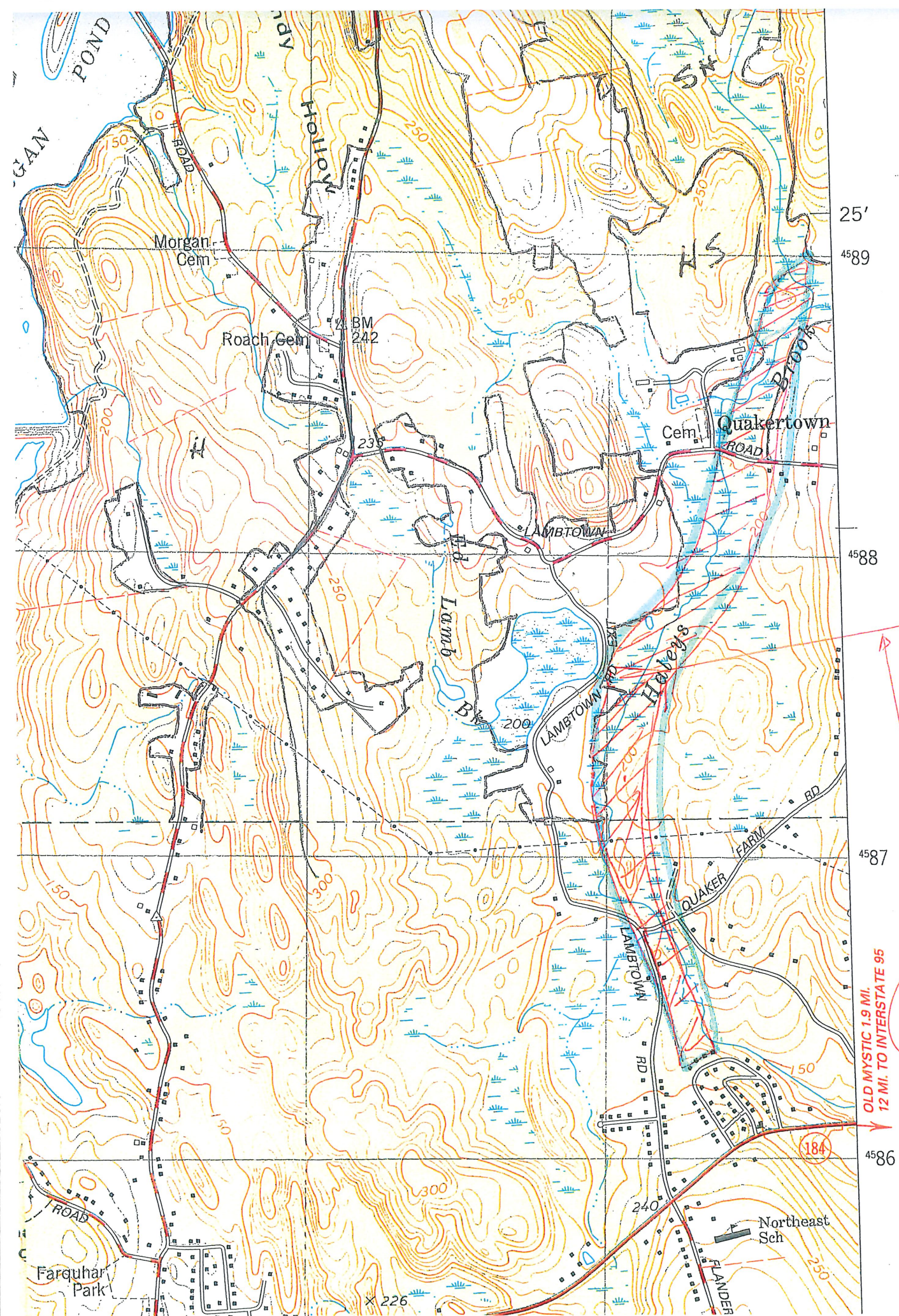
### MAP DISCLAIMER - NOTICE OF LIABILITY

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Scale 1 inch = 511 feet







25'

4589

4588

4587

4586

OLD MYSTIC 1.9 MI  
12 MI. TO INTERSTATE 95

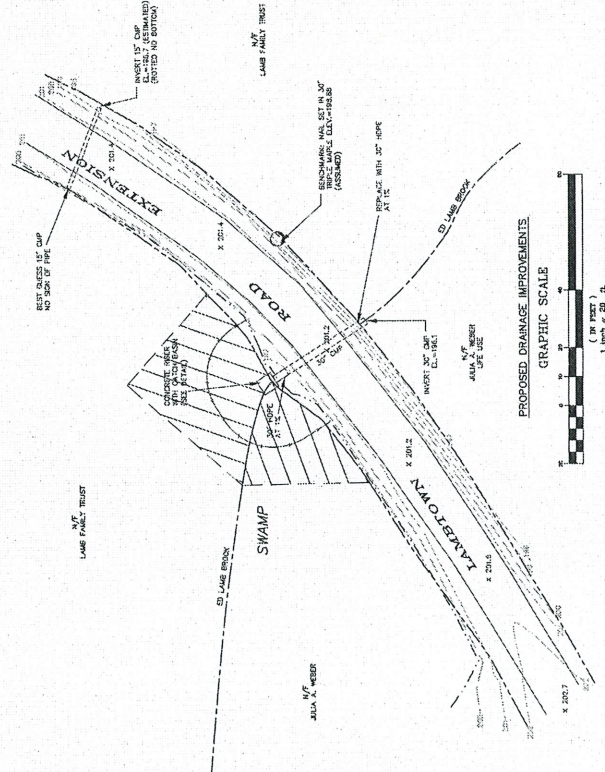
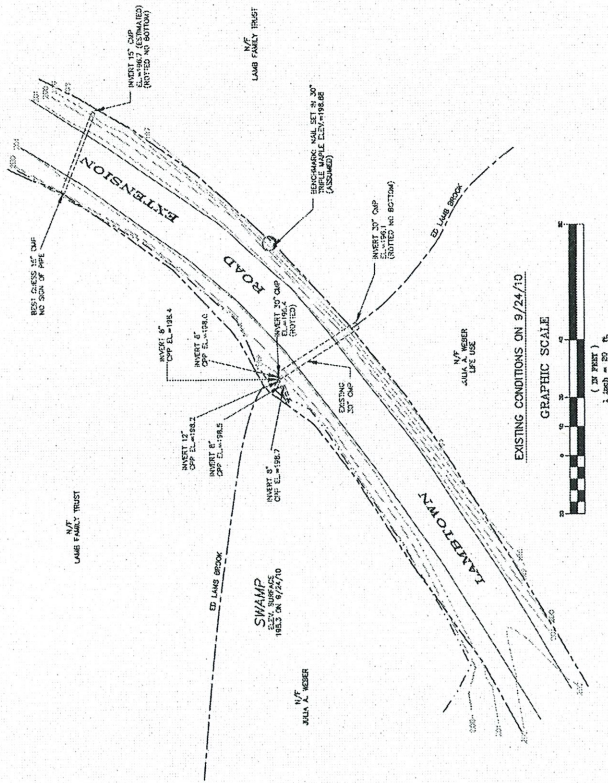
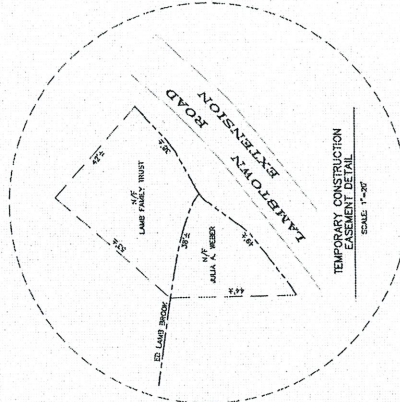
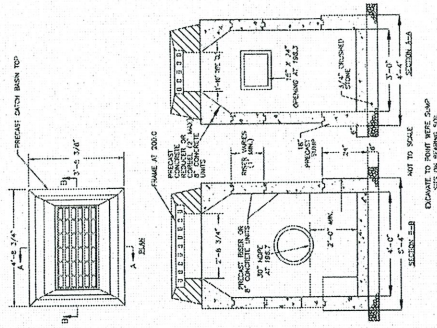
1 1/2 miles





Photos of March 2010 Flooding Event

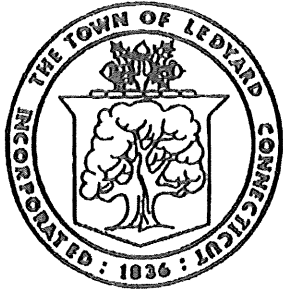




PLAN SHOWING  
EXISTING DRAINAGE CONDITIONS  
PROPOSED DRAINAGE IMPROVEMENTS  
AND  
PROPOSED BASEMENTS IN FAVOR OF  
THE TOWN OF LEDYARD  
LAMETOWN ROAD EXTENSION  
LEDYARD, CONNECTICUT  
SCALE: 1"=20'  
OCTOBER 2010

**LEGEND**

-----	EXISTING CONTIGUOUS
X 20'-0"	EXISTING SPOT GRADE
=====	BEAVER FENCE
-----	STREET LINE
-----	PROPERTY LINE
-----	NOTE: STREET LINE AND PROPERTY LINE PER LEWIS & CLARK'S MAPS
- - - - -	DISTANCE OF STAKE ON 9/24/2010
[Box with diagonal hatching]	TERRAZZO CONSTRUCTION TO BE IN PLACE OF EXISTING DRIVEWAY (SEE DETAIL)



# TOWN OF LEDYARD CONNECTICUT CONSERVATION COMMISSION

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1551  
(860) 464-3203  
FAX (860) 464-1485  
E-Mail Address:  
[council@town.ledyard.ct.us](mailto:council@town.ledyard.ct.us)

May 24, 2011

Mr. Steve Masalin, Director  
Town of Ledyard  
Public Works Department  
741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

Re: Beaver Issue on Lamb property

Dear Mr. Masalin:

The Conservation Commission is aware of the beaver issue on the Lamb property. We have discussed the current situation with Mr. Lamb and observed the draft plans that were proposed to rectify the situation. We have a couple of comments.

- We would like to review the detailed plans for rectifying the beaver issue
- We need to keep high quality bird habitat
- Any solution should be reasonably priced, aesthetically acceptable and provide adequate water levels to preserve high quality bird habitat.

Thank you for your consideration.

For the Commission,

Kenneth Norris  
Interim Chairman  
Conservation Commission

cc. Planning Commission  
IWWC

KN/rm

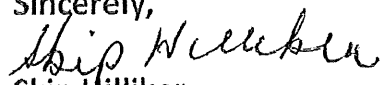
December 1, 2011

Steve Masonlin  
Ledyard Public Works  
889R Col Ledyard Highway  
Ledyard, CT 06339

Dear Steve,

This letter is to inform you that I am not taking on new or renewing maintenance agreements at this time due to health reasons.

Thank you!

Sincerely,  
  
Skip Hilliker  
Beaver Remedies Program

Implication?  
"Beaver Deceiver"  
device no longer being  
maintained by installing  
agent/expert.

# Memorandum:

**To:** John Rodolico, Mayor

**From:** Steve Masalin, Public Works Director *sm*

**Date:** January 6, 2012

**Re:** Lambtown Road Extension History

---

With the advent in 2001 of beaver activity at the marsh pond which outlets through a culvert under Lambtown Rd Extension, the maintenance burden of this culvert increased dramatically. We have been nursing a marginal "beaver-deceiver" provision at the outlet which has proven to be an inadequate solution and an untenable long-term mechanism. To only aggravate matters further, the individual who has been maintaining this provision under an annual contract is no longer able to provide this service.

Rather than rehash this any further, I have attached for your review a representative package of correspondence (in reverse chronological order). The adjoining property owners have more recently augmented the scope of their concerns to include the general way the Town has maintained this road with complaints about violation of scenic road policy. I have attached a copy of the Scenic Road Ordinance as well.

I look forward to discussing this matter with you on the 25<sup>th</sup>, and especially to a long-term solution to a matter that has languished too long.

TOWN OF LEDYARD  
INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)  
APPLICATION FOR PERMIT (Or Commission ruling that a permit is not needed)

IW-22-13  
Application No. \_\_\_\_\_

Receipt Date \_\_\_\_\_

Date Submitted 7-22-13

Applicant/  
Agent TOWN OF LEDYARD

Owner (if different) \_\_\_\_\_

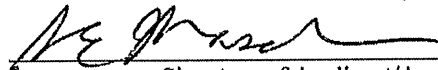
Address 741 COLONEL LEDYARD HIGHWAY

Address of Owner \_\_\_\_\_

Telephone 860-464-1100

Telephone \_\_\_\_\_

- I have received information on the Army Corps of Engineers permit procedure.
- I have read and have included all the application and site plan requirements in Section 8.0 of the IWWC Regulations



Signature of Applicant/Agent

Location of Property 40 LAMBSTOWN ROAD (AT LAMBSTOWN RD EXT), LAMBSTOWN RD EXT RIGHT-OF-WAY

Tax Assessor's Map No. 140

Zoning District R60

Written Description of Proposed Activity Replacement of existing culvert under Lambtown Road Ext. Replacement of "beaver-deceiver" flow control device with a substantially improved version.

Total Area of Site \_\_\_\_\_

Total Area of Wetlands per Official Inventory Map \_\_\_\_\_

Amount of Fill, in Cubic Yards 0

Disturbed Area, in Square Feet \_\_\_\_\_ or in Acres \_\_\_\_\_

Area Increase/Decrease in Wetlands 0 (For Map Amendment Only\*)

Soil Types from USDA Soil Survey \_\_\_\_\_

General Description of Vegetative Cover Roadside vegetation/shoreline

**FOR CLASSIFICATION PURPOSES:**

1. Attach sketch map showing property and area of proposed activity.

**\*REQUIRED PLOT PLAN INFORMATION:**

1. Flagged Wetlands Signed by Soil Scientist.
2. Signature of Surveyor, and Dated.

Name and Address of Adjacent Property Owners

JULIA A. WEBER 46,57 LAMBSTOWN RD EXT

LAMB FAMILY TRUST 60 LAMBSTOWN RD

Anticipated Start Date 9/13 Completion Date 10/13

List previous IWW application #'s 6-02

IWW Commission Disposition: IWWC Regulations; Section \_\_\_\_\_

Classification \_\_\_\_\_

Signature of Chair

FEE: N/A + \$60.00 State Fee = \_\_\_\_\_ DATE PAID N/A RECEIPT # N/A 9/24/10





## Statewide Inland Wetlands & Watercourses Activity Reporting Form

Please complete and mail this form in accordance with the instructions on pages 2 and 3 to:  
Wetlands Management Section, Inland Water Resources Division, CT DEEP, 79 Elm Street – 3<sup>rd</sup> Floor, Hartford, CT 06106

### PART I: To Be Completed By the Municipal Inland Wetlands Agency Only

1. DATE ACTION WAS TAKEN: Year Click Here for Year Month Click Here for Month
2. ACTION TAKEN: Click Here to Choose a Code
3. WAS A PUBLIC HEARING HELD (check one)? Yes ☐ No ☐
4. NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:  
(type name) \_\_\_\_\_ (signature) \_\_\_\_\_

### PART II: To Be Completed By the Municipal Inland Wetlands Agency or the Applicant

5. TOWN IN WHICH THE ACTION IS OCCURRING (type name): Ledyard  
Does this project cross municipal boundaries (check one)? Yes ☐ No ☒  
If Yes, list the other town(s) in which the action is occurring (type name(s)): \_\_\_\_\_
6. LOCATION (click on hyperlinks for information): USGS Quad Map Name: Uncasville or Quad Number: \_\_\_\_\_  
Subregional Drainage Basin Number: 2105
7. NAME OF APPLICANT, VIOLATOR OR PETITIONER (type name): Town of Ledyard
8. NAME & ADDRESS/LOCATION OF PROJECT SITE (type information): 40 Lambtown Rd, Ledyard, CT 06339  
Briefly describe the action/project/activity (check and type information): Temporary ☐ Permanent ☒ Description: Culvert replacement with improved beaver deceiver device.
9. ACTIVITY PURPOSE CODE: I
10. ACTIVITY TYPE CODE(S): 10, 5, 2, NA
11. WETLAND / WATERCOURSE AREA ALTERED (type in acres or linear feet as indicated):  
Wetlands: \_\_\_\_\_ acres Open Water Body: 0.01 acres Stream: \_\_\_\_\_ linear feet
12. UPLAND AREA ALTERED (type in acres as indicated): \_\_\_\_\_ acres
13. AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (type in acres as indicated): \_\_\_\_\_ acres

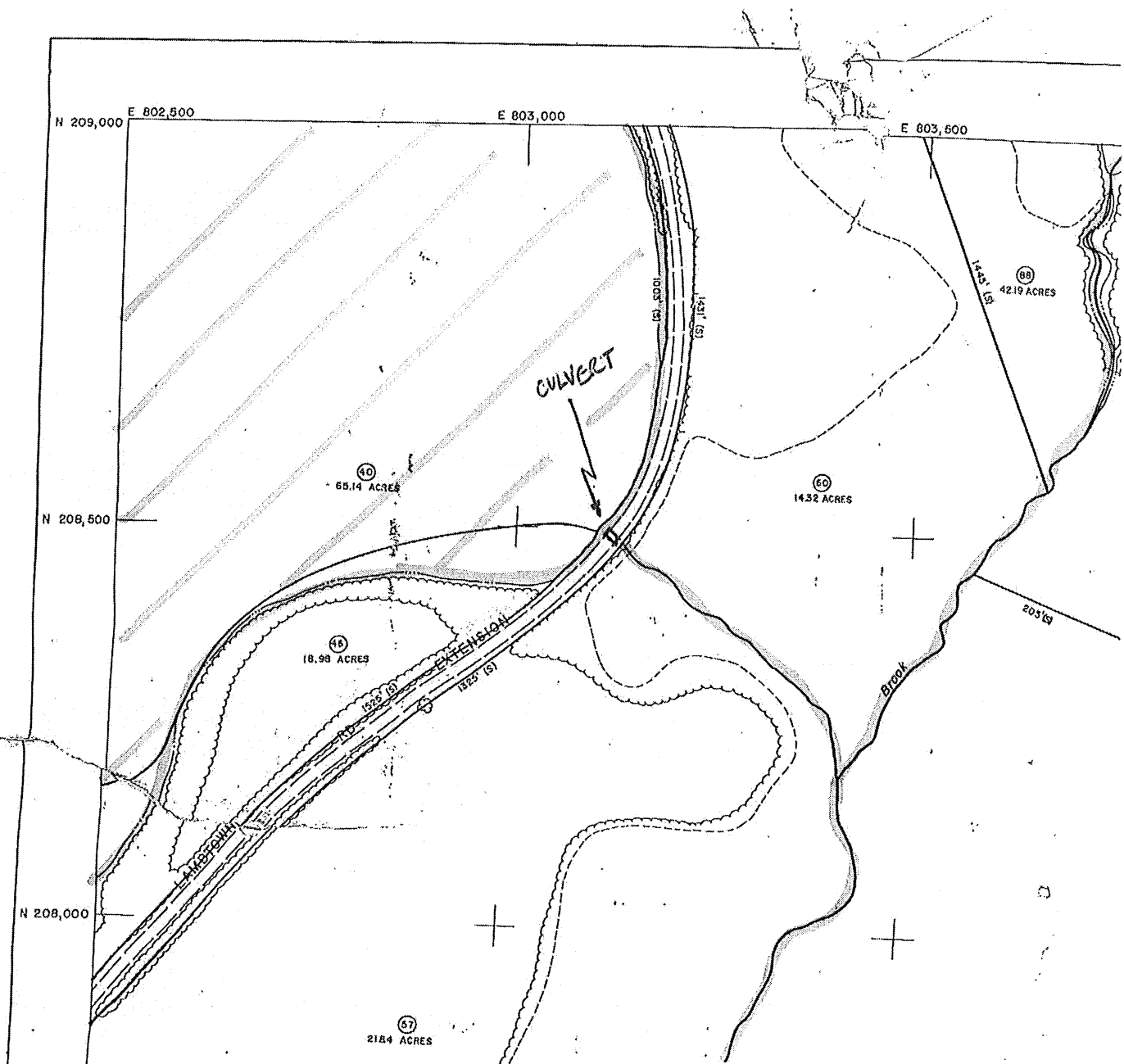
DATE RECEIVED:

### PART III: To Be Completed By the DEEP

DATE RETURNED TO DEEP:

FORM COMPLETED: YES NO

FORM CORRECTED / COMPLETED: YES NO



# Beaver Deceivers International

*protecting properties, improving habitats*

## *Proposal*

***May 30, 2013***

***To:*** Town of Ledyard, CT

***For:*** Construction of new flow device, a Beaver Deceiver Deluxe™ (BDD), on the culvert on Lambtown Road Extension.

A BDD has two basic components. The first is a rugged, well-made, wooden-frame fence to protect the culvert from being directly clogged. It will be approximately 8' to 10' long on each side. The frame is comprised of 2" x 4" pressure treated posts, diagonal braces on the posts, and horizontal stringers along the top of the fence. The posts and braces will be driven into the bottom as far as possible using a sledgehammer. The fencing material will be 6-gauge, epoxy-coated steel mesh in a 4" x 4" pattern. The epoxy protects the steel, which would otherwise quickly dissolve in the acidic water.

The fence alone is not enough; a huge dam would ultimately surround it. Therefore, the second component is a pipe system that essentially sneaks water away from beavers. It extends from the initial, "receiver" fence well out into the wetland. There are two primary variables that make a pipe system robust: its length and the size and quality of the filter that prevents beavers from damming its intake. A long, solid pipe creates a permanent "leak" far away from where beavers expect leaks to occur: at the dam. We propose to use a 12"-diameter, double-walled polyethylene pipe that will be a "robust" 40' long. However, good dam-filter separation alone is inadequate.

The filter will be both large and technologically sophisticated. It will be a Square Fence™ 5' x 10' x 2.5' high. It will have a simple wooden frame and be sheathed on all sides in 4-gauge, epoxy-coated mesh in a 6" pattern. It will have a Whirlpool Break™ and a Misery Multiplier™ to, respectively, deaden a potential damming stimulus and prevent small beavers from pulling debris through the 6" holes and into the pipe.

It is expected that, over time, a beaver dam will form around the receiver fence. Ultimately, therefore, the average level of the wetland will be largely

controlled by the height of the pipe where it enters the receiver fence. However, there will be some water-level dynamism. The reservoir will also be held up during higher flow periods when the inflow exceeds the pipe's capacity. At these times, the water would be expected to flow to the road culvert over the top of the receiver fence as well.

Water-level dynamism is what makes beaver flowages, or to put it another way, wetlands in beaver damming habitat (low-gradient areas on small streams), particularly productive and unique. With the comings and goings of beavers over the decades and centuries, dams are continually built, abandoned to decay, and then renovated.

Therefore, a temporary drop in water levels until beavers dam around the receiver fence would not trouble me. Nevertheless, I understand there is some concern about this. It can be addressed in two basic ways: we can temporarily place a piece of plywood over the culvert or we can build a manmade beaver dam of mud and vegetation against the receiver fence.

***Cost of BDD at this site:*** \$3900

# Beaver Deceivers

*protecting properties, improving habitats*



*Skip Lisle (left), President of Beaver Deceivers International™, giving a training workshop in New Mexico, USA.*



*Simple, elegant, and durable, this trapezoidal Beaver Deceiver™ protects an irrigation weir in Colorado, USA.*

- **Property defense**
- **Workshops**
- **Presentations**
- **Habitat improvement**

Beaver Deceivers International™ (BDI) is a company that specializes in protecting properties from beavers in a reliable, long-lasting, non-lethal manner. This is most often accomplished with flow devices, which we design and construct to essentially sneak water away from beavers, thereby controlling damming behavior and water levels.

We have also given dozens of training seminars so others can employ our effective, money-saving, and ecosystem-improving techniques themselves. These often include talks on beaver and wetland ecology and history.

We offer our services throughout North America and Eurasia.

Over the past fifteen years, our president, Skip Lisle, MS Wildlife Conservation, has compiled an unparalleled record of innovation and success in this field. He has invented all of the products he uses, as well as numerous construction techniques. In addition, he has pioneered the use of Turtle Doors™ to allow wildlife passage through flow devices placed on road culverts, and mini fish ladders on pipes that go through beaver dams.

Because every conflict site is unique, experience, judgment, and knowledge are crucial ingredients in a winning strategy. To be successful, one must know exactly what to do, and where. We combine decades of beaver and wetland study, and flow device research and





*A Double Filter System™ in Virginia, USA. The Beaver Deceiver™ is the first filter and the two Round Fences represent the second filter. The black, plastic pipes in between create dam-leak separation, a powerful concept in thwarting an animal programmed to look for dam leaks in dams.*



*A Double Filter System™ composed of two Beaver Deceivers™. The initial fence has a Turtle Door™ (also used by other animals) on the left side (see photo below). The low, arched fence in the middle guides animals to the hole. The stones at the top prevent beavers from floating debris through the hole and into the culvert.*



*A "topless" Round Fence™ in shallow water. Penobscot Indian Nation, Maine, USA.*



*This photo and the photo above were taken on land of the Houlton Band of Maliseets, Maine, USA.*

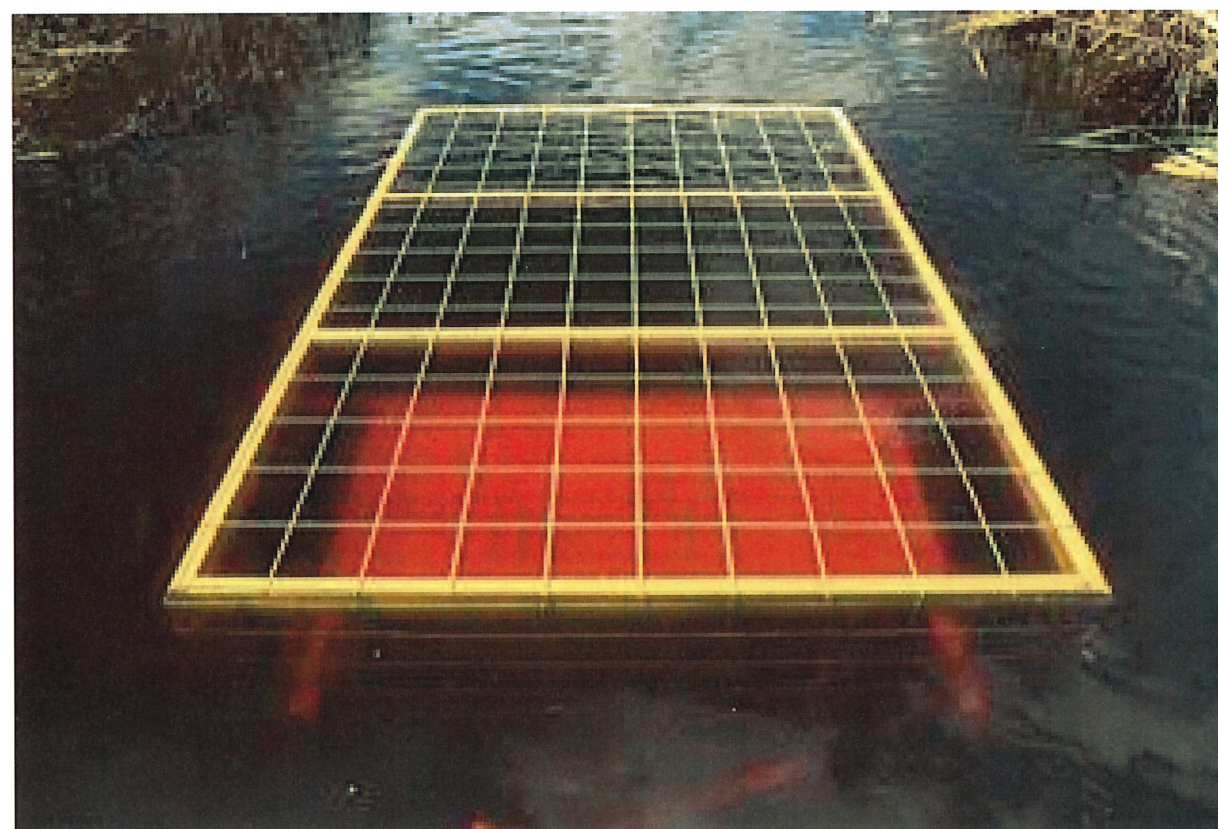
development, with an uncompromising commitment to high-quality workmanship. The outcome is a long-lasting, effective, low-maintenance product that represents the best possible investment for our customers. By not extirpating this important keystone species, by always trying to protect and enhance wetlands to the greatest extent possible, and by protecting animal

movement along streams, we also deliver vibrant, healthy ecosystems.

Skip's success at hundreds of diverse sites throughout North America can be measured by the fact that he has yet to come across a conflict site he could not solve, and he has never had to kill, or recommend killing, a single beaver.















## Testimonials for Beaver Deceivers International and its president, Skip Lisle

*In 25 years as a beaver manager and researcher I have seen hundreds of attempted solutions to beaver-human conflicts. In quality and value, none compare to Skip Lisle's elegant, original flow device designs. Highly effective, durable, and sensitive to the many ecological considerations involved, they are a reflection of his broad knowledge of construction, beavers, and wetland ecosystems. They are pure landscape art!*

Dr. Andrzej Czech  
Owner, Natural Systems, Inc.  
Lesko, Poland

*Before Skip arrived, I watched fish swimming over the town road by my house. Skip is one of those rare people with both a fine mechanical imagination and a profound understanding of animals, particularly beavers. He is totally devoted to doing the best possible job, and is tireless in his attention to detail. Each flow device he builds is tailored to perfectly match the unique characteristics of a given site. His devotion to high-quality workmanship is a pleasure to observe.  
The road will never be fish habitat again.*

Elizabeth Nields  
Pottersville, New York USA

*It has been my pleasure to know and work with Skip Lisle for nearly twenty years. Skip created many of the innovative technologies used today to humanely resolve conflicts with beavers. He continues to take his designs to creative new heights based on his intimate knowledge of beavers and the wetlands they create. He is an environmental entrepreneur providing long-lasting remedies for flooding and other conflicts, which save money well beyond the costs of alternative, short-term responses such as killing and dam removal. Skip has long been a leader in educating the public and advocating for the beneficial environmental services provided by live beavers. He is truly one of the founders of the humane approach to living with wildlife that strives to make the world a better place for people and wild animals.*

Dr. John Hadidian  
Senior Scientist, Humane Society of the United States  
Gaithersburg, Maryland USA

*Skip Lisle offers that rare combination of "can-do" competence, creativity, and courtesy. He ably tamed our beavers with promptness and professionalism. Our California town, Martinez, still fondly remembers the man from Vermont, and his solution to save our Downtown!*

Mark Ross  
Vice Mayor  
Martinez, California USA

*Historically, a trapping-based "defense" of Elbow Pond Road has periodically eliminated resident beavers, and associated ecological values, but not property damage. Newly arriving beavers have ensured that many yards of gravel—and thousands of tax dollars—have washed away into downstream wetlands, closing the road for months. When the road was re-built, at great cost, the expensive new culverts were also immediately clogged. The obvious inefficiency of this approach forced us to look at other options.*

*It's a big deal to find a solution to constantly blocked culverts. Thanks to Skip Lisle, we have done just that at a small fraction of the money we have previously poured into road repairs (and what cost would the future have brought?). We are delighted to now have healthy, beaver-created wetland ecosystems and a long-lasting system in place that reliably prevents damage to the road and the town budget.*

Victoria Mishcon  
Select Board Chair  
Andover, New Hampshire USA

*The Beaver Deceiver Skip Lisle engineered and installed for our wildlife impoundment is working well. After 20 years of beaver problems, less than satisfactory solutions, and much backhoe work, we've finally been given a break. Thank you, Skip!*

Peter Winne  
The Mount Tom Land Trust  
Exeter, Rhode Island USA

*I first met Skip in his capacity as a wildlife/wetlands biologist for the Penobscot Indian Nation in the 1990s. I was immediately impressed by the depth of his knowledge of beaver ecology, his passion for the work, and his enthusiasm and willingness to help a sister tribe protect our roads from flooding while keeping our beaver populations and beaver flowages intact. Wetlands and, in particular, culturally significant wetland plants such as muskrat root and sweet grass, are a very important tribal resource. Skip's skills have been invaluable in protecting these values. He's the best at what he does! I highly recommend his services.*

Sharri Venno

Environmental Planner

Houlton Band of Maliseet Indians

Houlton, Maine USA

*Skip has all of the qualities one looks for in an individual and a contractor. His integrity and incredible knowledge base allow him to solve beaver management issues in a very professional manner.*

Jack Gleason, Conservation Commissioner  
Amherst, New Hampshire USA

*Skip's devices and designs are great resources for our town. It is the best of both worlds for animals and humans. This is the solution for providing habitat for wildlife and protecting roads at the same time.*

Tim Higgins  
Road Foreman  
Sharon, Vermont USA

*Skip has taken an important and effective management tool and rolled it out in a big way. Because of his dedication to the proper management of wetlands and beaver, many thousands of wetland acres have been protected with untold benefits to all the species that use these areas. His work is inspirational!!*

John Banks  
Director of Natural Resources  
Penobscot Indian Nation  
Indian Island, Maine USA

*Skip is the creative mind behind the best and most cost-effective solutions to managing beaver impacts where they conflict with human interests.*

Dr. Duncan Halley  
Norwegian Institute of Nature Research  
Trondheim, Norway

*Skip, thank you for your follow-up. I've grown unaccustomed to people who stand by their work. What a refreshing change of pace.*

Dr. Lance Hellman  
Antler Lake, New York USA

*An engineering firm estimated that it would cost \$125,000 for us to drain our pond (while killing the fish) to install a water-level-control device. Luckily, we found Skip Lisle who came and delivered: he solved our beaver issue for about 1/100<sup>th</sup> the cost without draining the pond. When, after seven years, there was a minor problem, Skip responded within two hours and was at our house the next day to fix it. Passionate and ingenious, Skip solves problems without hurting the environment, or breaking the budget.*

Christopher Vroom  
Red Hook, New York USA

*Skip Lisle is the leader in non-lethal beaver management techniques. We called upon him to lead our workshops on flow device construction because his structures are the best and most cost-effective available. His detailed hands-on approach kept the audience engaged and gave us a clear idea of what is involved in this work. We received very positive feedback from participants.*

Amy Chadwick  
Wetlands Scientist  
Missoula, Montana USA

*There is a reason that Skip has never had to kill, or otherwise remove, a single beaver in order to solve hundreds of conflicts around the world. His skill, knowledge, and commitment level is off-the-charts. For us, that has saved our road and translated into a far richer, more interesting, animal-filled wetland. It has a spectacular beaver lodge as a centerpiece, and is dissected with beaver trails that spread like veins across the aquatic vegetation. In its isolated, seacoast locale, it likely has an even greater ecological importance than average wetlands. The abundance of wildlife in the pond also provides entertainment for the numerous people who stop and look while using the abutting town road as a walking path.*

*In addition to providing an incomparable economic and ecological service, Skip is a great pleasure to work with and to learn from. Take advantage of this opportunity!*

Dr. Carol Richards  
Stonington, Maine USA

*Working with Skip on our flow device project became a memorable community event. It attracted many curious visitors, including school groups. Thanks to his broad knowledge, and generous sharing of it, everyone went away with a better understanding of wetland ecology and the nature of thoughtful, effective problem solving. In addition, an expensive conflict was ended and, with the need to kill the beavers eliminated, a rich ecosystem (and beaver-viewing opportunity) was preserved.*

Dianne Rochford  
Newport, New Hampshire USA

*After reading about his beaver work in Northern Woodlands magazine a few years ago, I contacted Skip about a possible guest visit to my 7<sup>th</sup> grade science classroom. He gladly accepted the invitation and has been an annual speaker ever since. My students always love his visit. They anxiously await his arrival with great anticipation after watching the Animal Planet episode, "Leave it to the Real Beavers," that features Skip. His classroom presentation captivates them with his dynamic style, unsurpassed knowledge of beaver history and ecology, true-life stories of beaver encounters, and photos of flow devices that he has invented and installed all around the world. Of all the guest speakers I've had in 31 years of teaching, Skip Lisle is at the top of the list.*

Pete LaFlamme  
Bennington, Vermont USA

*It takes a creative and dedicated natural scientist/engineer to successfully deceive beavers as they alter the landscape by cutting trees, building dams, and creating ponds. Skip Lisle has a passion for, and depth of knowledge of, beaver ecology, a strong desire for beavers and humans to coexist peacefully, and an exceptional knack for underwater engineering.*

*For many years, Skip has volunteered a day of lecture and field experience for our Wetland Ecology and Conservation class at the University of Maine. His enthusiasm is contagious and students are captivated by the site-specific modifications that are made to each Beaver Deceiver in order for beavers to maintain residency in close proximity to fully functioning culverts, roads, and other human infrastructure. After spending a day with Skip, our students have a newfound respect for both beavers and a human who would do so much creative work to ensure their conservation. He is a hero to the wetland ecology community.*

Dr. Aram Calhoun, Director, Ecology and Environmental Sciences Program  
Dawn Morgan, M.S., Research Associate  
The University of Maine, Orono, Maine USA



Your Town:

# LEDYARD, PRESTON & GALES FERRY

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A Publication of

**The Day**

AT THE THAMES RIVER TIMES

August 5, 2013

Inland Wetlands and WaterCourses Commission  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

**Re: IWWC Application #2288 ("Lambtown Road Ext. culvert replacement with beaver deceiver upgrade"). IWWC 8-6-2013 regular meeting agenda item #IV.1.**

Dear Commission Members:

We are writing to request that the Commission require that the applicant in IWWC Application #2288 ("culvert replacement with beaver deceiver upgrade"):

1. Maintain the current level of water in the 38-acre Avery/Lamb marsh and bog (a CT critical habitat) during any activities associated with replacing the road culvert and installing a new beaver deceiver. This can easily be accomplished by the use of sandbags around the work area (suggested by a DEEP official), the use of a temporary mud and vegetation dam (suggested by the beaver deceiver expert designer/installer), or a device such as a coffer dam.
2. Ensure that the current level of water in the 38-acre Avery/Lamb marsh and bog will be maintained after completion of replacing the road culvert and installing a new beaver deceiver. This can be accomplished by installing the culvert at an appropriate elevation and grade and by installing the beaver deceiver at an appropriate elevation and grade. The use of sandbags, a temporary mud and vegetation dam, or a device such as a coffer dam will facilitate proper installation, elevation and grade of the culvert and beaver deceiver.
3. Hire an independent wetlands expert to determine the appropriate elevations and grades at which to install the culvert and beaver deceiver – in order to ensure that the current water level is maintained permanently and to avoid conflicts of interest.

We understand that the Town wishes to replace the existing culvert and beaver deceiver. We think that Skip Lisle of Beaver Deceivers International, the proposed beaver deceiver designer and installer, has appropriate expertise in beaver water flow control devices. However, this application, as written, contains certain inaccuracies and is incomplete. Consequently, the application fails to contain "such information as is necessary for a fair and informed determination" (IWWC Regulations, section 7.4).

One critical issue is that the application fails to provide sufficient information regarding what exactly is proposed for "draining of the pond to an elevation necessary to replace the culvert dry and replace the 'beaver deceiver' devices." In addition, the application



fails to describe the wetlands impacts of the proposed project. Does the applicant propose to sandbag or coffer dam around the relatively small culvert/beaver deceiver work area and maintain the current level of water in the rest of the 38-acre marsh and bog? Or does the applicant seek to remove the existing culvert and beaver deceiver without sandbagging or coffer damming – which would cause the marsh and bog to suddenly drain and the water levels to drop significantly, creating in effect a mud flat and causing significant environmental damage on private property. This letter and attached materials will provide additional information that is necessary for a fair and informed decision by the Commission, as required by IWWC Regulations.

If the applicant does not plan to use sandbags or a coffer dam, the following facts are important for Commission consideration. The 38-acre Avery/Lamb marsh and bog that the applicant proposes to drain are **not** owned by the applicant. Furthermore, the land on which these significant amounts of drained water would be discharged is **not** owned by the applicant. These lands are owned by Julia Weber and the James Lamb Family Trust. These landowners were not notified of this application or this hearing. It was the understanding of these owners and other interested parties, based on conversations with the applicant and the beaver deceiver expert installer, that there was agreement that the current marsh water level would be maintained during and after this project. It was quite surprising to discover this permit application which seeks permission to “drain the pond.” The critical importance of maintaining the water level, both during construction and permanently, in order to avoid severe environmental damage, is described below and in the attached materials. We request that the Commission reject any application that does not require the applicant to maintain current water levels in the marsh and bog both during and after the proposed project.

### **Area Background and Wetlands Information**

Lamtown Road Extension is a valuable and unique resource for the Town of Ledyard. It truly is a Scenic Road, so designated by the Planning Commission in 1984. The habitat on each side of the road, the marsh, and the wetlands create a remarkable, diverse, and sensitive wildlife and bird habitat. CT's Natural Diversity Database (which shows “locations of endangered, threatened, and special concern species and significant natural communities in CT”) covers the road and surrounding areas of marsh and bog. The Avery/Lamb marsh is part of the Haley Brook Watershed (flows into Long Island Sound).

The wetlands (through which the road runs) and the marsh (adjacent to a portion of the road) have unique wildlife value. For example, more than 168 bird species have been identified, 19 of which are on the state list of endangered, threatened, or special concern species. Numerous turtles, beavers, local and migratory birds, ducks, amphibians, fish, vernal pool species, reptiles, insects and other mammals depend on this wetland, and would be harmed if the 38-acre wetland was drained. The Ledyard Conservation Commission advocates protecting the high quality wildlife habitat in this general area under all circumstances by providing adequate water levels. (May 24, 2011 letter to Steve Maslin from Conservation Commission)

Numerous vernal pools, sensitive to any decreases in marsh water levels, occur near the marsh. The CT DEEP and the US Army Corps of Engineers consider vernal pools a "high conservation concern," a special and sensitive wetland type that requires extra protection. A series of vernal pools occur along the fringe of the marsh as well as in the adjacent areas abutting the northwesterly boundary of the marsh. These pools were confirmed breeding sites for obligate vernal pool amphibians including the Spotted Salamander and Wood Frog. "These pools are hydrologically connected via surface water and groundwater to the overall marsh system surrounding Ed Lamb Brook. ... [A] marsh [water] drawdown has the potential to decrease the vernal pool hydroperiod (i.e., depth and duration of standing water). A prolonged and annually consistent hydroperiod is critical to the development and survival of vernal pool amphibian larvae. If the hydroperiod is shortened, the vernal pool may dry too early in the season, before amphibian larvae can fully develop. This can result in extirpation of individual breeding pools over time." Water drawdowns also negatively affect aquatic vegetation and may cause outbreaks of invasive plants. Consequently, for any project involving lowering water levels in the marsh, an impact analysis should be conducted to assess impacts to wildlife, plants, and habitat from this proposed project. Such an analysis cannot be conducted without a detailed site plan illustrating clearing limits, wetland impacts and existing and proposed water surface elevations.

The marsh contains three habitat types: open water, aquatic beds (e.g., pond lilies and other hydrophytic vegetation), and emergent marsh. Marshes of this size and character are "less common and increasingly rare" in CT. This is a pristine area with very limited invasive plants and no purple loosestrife – very unusual in CT in this type of habitat.

The Ed Lamb Brook, which feeds this large wetland system, is a tiny stream. Consequently, the recovery of such a large 38-acre wetland would take months – if it ever recovered. Many animals that can not walk or fly away would likely die – either from killing by predators that would no longer be stopped by the water, or from freezing due to removal of the protective layer of water that keeps them and the mud from freezing.

#### **Application # 2288 Is Incomplete and Contains Inaccuracies.**

The application lacks the information required for a "fair and informed determination" by the Commission (IWWC Regulations, section 7.4). Important information and impacts of the proposed project are not included in the application. Examples include:

- The application fails to state that some of the proposed work would be done on land not owned by the applicant. The work proposed would extend approximately 50 feet from the center of the road – well beyond any Town road right-of-way.
- The application lacks written consent of the landowners (required where the applicant is not the owner of the land upon which the subject activity is proposed; IWWC Regulations, section 7.4.5). The application proposes draining a privately owned 38-acre marsh and bog, discharging the water over private land, and installing a beaver deceiver, at least part of which will be located on private land.

While a portion of the work may be done in the Town road right-of-way, some of the work and large wetlands impacts from the proposed work would occur on private land. The landowners do not consent to the applicant draining the 38-acre marsh and bog or taking any actions which would result in the temporary or permanent lowering of the water level in the marsh or bog.

- The application fails to list soil types, wetlands vegetation, proposed erosion and sediment control, management practices and mitigation measures to prevent environmental damage and maintain or enhance existing environmental quality (section 7.4.8).
- The application fails to list areas in square feet of wetlands to be disturbed (section 7.4.8b). The application states that 0 feet of wetlands, 0.01 acres of open water body, and 0 acres of stream will be altered. In fact, at least 38 acres of wetlands and all of Ed Lamb Brook downstream of the culvert would be altered if the draining of the wetlands proposed by the applicant were to occur. In addition, we request that the applicant clarify and provide specific details for the culvert and beaver deceiver installation plans. The culvert is approximately 30 feet long and the proposed beaver deceiver pipe is 40 feet long. The work area listed in the application is 0.01 acres (435.6 square feet). With 70 feet in length, the allowable work area would be only approximately 6 feet in width. This seems impossible – given the large scope of the proposed project.
- The application fails to specify the location of proposed wetland excavation, the amount of material to be excavated, where the excavated material will be placed, or what actions will be taken to minimize and mitigate environmental damage during wetland excavation.
- The application fails to include the number of gallons of water that the applicant proposes to drain, the rate at which the drainage would occur, and how long it would take for the marsh to refill (based on the flow rate and capacity of the tiny Ed Lamb Brook). This information is necessary to determine environmental impacts of the proposed project.
- The application fails to state that other municipalities will be impacted by the proposed work. If the proposed draining of the 38-acre wetland were to occur, the water flow would impact Groton.
- The application fails to state the total area of site, total area of wetlands, disturbed area in square feet, or soil types.
- The application does not contain sufficient detail to understand what the stream stabilization (shore stabilization) activities would include and how dirt roadside and native vegetation would be impacted and restored.
- The application fails to state the correct property owners' and adjacent property owners' names and mailing addresses. The application does not state that the applicant does not own all the land and wetlands that would be worked on and impacted. The mailing address for the Lamb Family Trust is incorrect.
- The application does not state what additional federal and state permits may be required if the 38-acre wetland is drained.

It is important to note that, as with any IWWC application, the applicant cannot also serve as an expert to the Commission. This would be a conflict of interest (for example,

see the Town Charter). An independent wetlands expert must be consulted by the Commission.

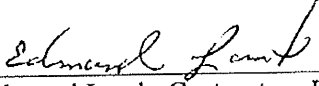
It is also important to note that Lambtown Road Extension is a Town Scenic Road, and any alterations must be approved by the Planning Commission (see Ledyard Scenic Road Ordinance). In a 2012 Planning Commission public hearing regarding the road, almost all of the nearly 100 people and organizations that commented requested that the water level in the marsh be maintained.

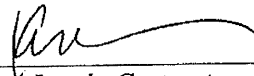
We invite you to join us for a site visit walk on this unique and environmentally sensitive area to view the large areas that would be adversely impacted (including the tiny Ed Lamb Brook) if the water level is not maintained both temporarily during the proposed project (by means of a coffer dam or sandbags) and permanently (by correct placement and height of the proposed beaver deceiver and culvert). We believe that a site walk is the best way for Commission members to obtain sufficient knowledge on which to base the best possible decision.

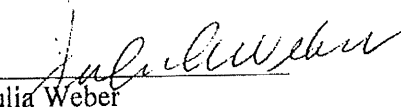
Thank you for your consideration.

Sincerely,

The Landowners of the Avery/Lamb Marsh (c/o 47 Lambtown Rd., Ledyard, CT 06339)

  
Edmund Lamb, Co-trustee, James Lamb Family Trust

  
Karen Lamb, Co-trustee, James Lamb Family Trust

  
Julia Weber

cc: Ledyard Conservation Commission

**Groton Open Space Association, Inc.**  
P.O. Box 9187, Groton, CT 06340-9187  
[www.GOSAonline.org](http://www.GOSAonline.org)



To: Town of Ledyard Inland Wetlands and Watercourses Commission  
From: Groton Open Space Association, Inc. (GOSA)  
Subject: Culvert Project on Lambtown Road  
Date: August 6, 2013

GOSA is a 501©3 organization, with a mission of environmental protection. To that end, GOSA purchased the 91-acre Candlewood Ridge, a property directly abutting the Avery/Weber farm. We chose the site is for its high watershed and wildlife habitat value, associated with the even larger and more varied ecosystems on both the Weber and Lamb family farms. The Weber and Lamb families have cared for and share ownership of an extensive marsh, pond and wetlands that is slated to be drained as part of the proposed culvert replacement project on Lambtown Road. This marsh is an extraordinary natural resource, teeming with birds, amphibians, reptiles, pollinating insects and rare plants. The wetlands include rare bogs, a stream, marsh and vernal pools.

While GOSA supports the replacement of the culvert under Lambtown Road, we recommend that impacts to the wetlands be limited to the .01 acre stated in the application. A simple barrier made of vegetation, sand bags or a cofferdam would assure that only .01 acre would be disturbed, as stated, and would not drain and negatively impact 38 acres of wetlands, marsh, pond and vernal pools, as proposed.

As presented, the application is incomplete: it omits providing the required measurement of wetlands that would be drained, and it omits a study of the potential impact to this highly valuable watershed and wildlife habitat.

We recommend a higher level of review, and a complete application, in order for this project to go forward. At a minimum, a plan to maintain a viable water level would be necessary to assure that the proposed wetland disturbance will be truly limited to .01 acres of wetlands.

Sincerely,

A handwritten signature in black ink that reads "Joan H. Smith". The signature is written in a cursive, flowing style.

Joan H. Smith, GOSA President  
58 Mohegan Rd.  
Groton, CT 06340

Lambtown Road Extension

Road Closure

Background Info

# Memorandum:

**To:** Fred B. Allyn, Jr., Mayor  
**From:** Steve Masalin, Public Works Director *sm*  
**Date:** July 8, 2008  
**Re:** Lambtown Road Extension Abandonment

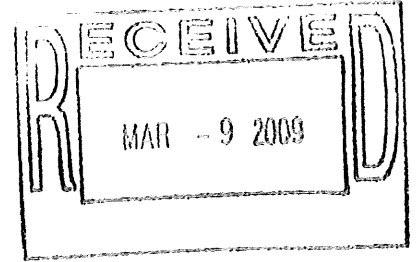
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As a follow-through on my memo to you of 3 months ago, I talked to certain key individuals about the possibility of abandoning Town ownership of Lambtown Road Ext. I found that both adjacent property owners expressed clear support for this. I also found through a discussion with a cognizant representative from the CT DOT that the process is a local matter subject to our own procedures. Abandonment of a road is simply something we would notify the State of when it had been officially consummated.

Accordingly, I recommend this approach as a means to resolve the beaver activity liability predicament, and concurrently resolve the vehicular traffic issues that have been a chronic concern to the adjacent landowners. I think this may just require a Town meeting. Exact terms of the abandonment could be worked out with the two adjacent property owners.

Also by way of follow-up, I noted that the potential for the expansion of beaver activity to other areas of the Haley's Brook watershed is now reality. I personally observed a kit beaver in the stream near the culvert at 81 Lambtown Road. I also observed an accumulation of debris that someone is apparently clearing from the culvert to keep it open.

March 5, 2009



RE: Lambtown Road Extension

Fred B. Allyn, Jr., Mayor  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339-1511

Dear Mayor Allyn:

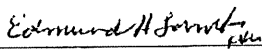
We are writing to follow up on a letter to you dated September 22, 2008 from the seven landowners of land on Lambtown Road Extension (the "Road"). In that letter the landowners expressed willingness to explore the concept of closing the Road. The letter also stated that, of course, agreement to any specific plan would be subject to developing a plan that is satisfactory both to the Town and to all of the landowners.

During the time since the landowners sent that letter, we have had the opportunity to discuss with a number of individuals various scenarios for closing the Road. It is our understanding that the Town has also been exploring some scenarios, e.g., closing the Road to motorized traffic only (keeping the Road open for non-motorized traffic) and creating a turnaround on the Road's Groton end.

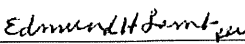
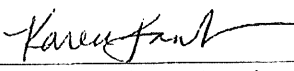
We are writing today in order to clarify a point of possible confusion. It appears that the Town may desire either to retain some of its current rights to the Road (e.g., keep it open to non-motorized traffic only) or to establish new rights to the Road (e.g., create a new public easement for non-motorized traffic). If the Town desires to retain current rights or to create new rights to the Road, we would be unable to support any Road closure plan that would result in a decrease of the Town's responsibility and/or liability for maintaining the Road or that would shift any such responsibility/liability to the landowners.

We appreciate the Town's efforts to continue to maintain this beautiful scenic road in a manner that is safe for the Road's users and neighbors, as well as for the wildlife that flourishes in the area. We look forward to working with the Town to create a plan for the Road that is mutually agreeable to the Town and all of the landowners.

Sincerely,

  
Edmund H. Lamb, 47 Lambtown Road

James C. Lamb Family Trust

   
Edmund H. Lamb and Karen Lamb, co-trustees, c/o 47 Lambtown Road



cc: Marlane Bernier, 47 Lambtown Road  
Susan Weber and Wayne Forsberg, 57 Lambtown Road Extension  
Julia Weber, 57 Lambtown Road Extension

# Memorandum:

**To:** Fred B. Allyn, Jr., Mayor  
**From:** Steve Masalin, Public Works Director *sm*  
**Date:** March 18, 2009  
**Re:** Lambtown Road Extension  
**cc:** Town Council Land Use, Planning & Public Works Committee

I have received and read the letter from Ed Lamb essentially withdrawing the support of several Lambtown Road Extension landowners for a plan that includes perpetual non-motorized traffic access. I was dismayed by this, and feel I should apologize for initiating the transfer process without more fully exploring potential terms of transfer with the landowners. Perhaps it was natural to assume that an arrangement involving a continuation of some level of access for non-motorized traffic would have been a welcome allowance by the landowners for the benefits they would have derived through the elimination of motorized access—benefits that are consistent with previous explicit requests to the Town from the landowners for actions that would provide relief from the effects of traffic (particularly large vehicles).

That said, we are still mutually faced with the present inadequate condition of the marsh pond outlet. I will take this opportunity to provide you an update on the matter, particularly with respect to the ongoing and increasing beaver activity in the area. The beaver activity is the fundamental issue in terms of present and unrelenting threat to infrastructure stability and security through culvert failure. Ironically, inherent in this threat is the potential devastation of the beavers' own habitat. This certainly is not the desire of any party to this predicament, but it may help with overall perspective in continuing to seek a suitable solution.

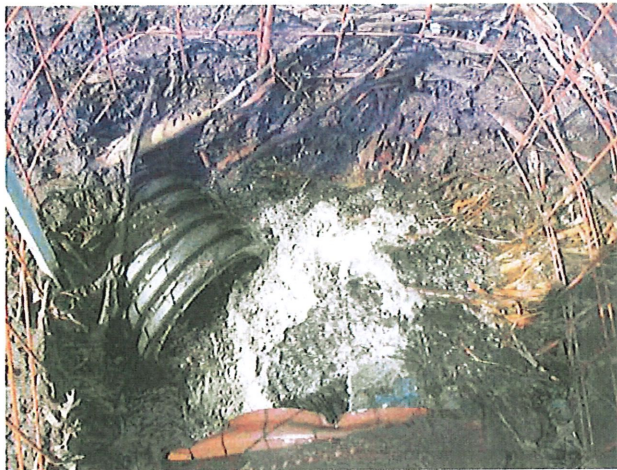
Because of the landowners' expressed desire to preserve the local beaver population in the marsh pond, the Town of Ledyard has been denied access to manage the impacts to the discharge culvert through trapping. In lieu of trapping, the Town has worked with an independent agent of the Humane Society to establish and maintain a nuisance beaver flow device. This has been undertaken at Town expense, which has included material and installation costs, as well as a nominal annual maintenance fee. The first flow device was installed in the spring of 2002. Because of the nature of the device, and particularly the nature of the outlet area, the device gradually became silted-in and ultimately became inoperative by spring of 2007. A second, less effective, installation was completed in late spring of 2007, and remains minimally-functional at this time. The following pictures will give you an impression of both the present and previous conditions of the device at the outlet.



04/07/08



03/17/09



04/07/08



03/17/09

Since 4/7/08, the only activity of the Town at this culvert has been to remove the hay bale (that was temporary stabilization for a modest washout), and restore the road shoulder. It may be observed from these pictures that the beaver activity has progressively established solid mud and stick pack along two sides of the cage. What is not apparent from the pictures alone is that someone has been voluntarily maintaining an opening for water flow into the pipe. It appears that recent efforts have been focused on keeping the side of the cage facing the pond clear.

It is apparent that the flex pipes are not functioning adequately by themselves to provide steady discharge control. It is likely that siltation is again responsible for the decline in pipe capacity. To take nothing away from the intent and efforts of the Humane Society and its agent, this type of device is simply overmatched by the nature and scope of the need at this location. A few important points: 1) by design, the nuisance device should be maintenance-free, in the sense that beaver activity alone will not neutralize it, 2) this has obviously not been the case, and if not for the unsolicited, voluntary efforts to keep it clear, the discharge would likely be entirely obstructed at this point; 3) it would not be reasonable to devote daily Public Works attention to maintenance of this device in terms of an efficient, effective use of tax dollars.



Even without a detailed watershed hydraulic analysis, it is evident that the discharge culvert in its current state is inadequate to meet the drainage demands of a relatively high-frequency storm (e.g., 2-year). Substantial scouring at the discharge has occurred during a lesser storm event; it wouldn't take much more of an event for a complete washout to occur once scouring begins.

Projecting current circumstances into the future, if adequate flow capacity is to be provided, it is evident that the present installation needs to be replaced by an appropriately-designed inlet structure, possibly with overflow protection. This will represent a substantial increase in complexity and associated cost. Or, in light of present financial constraints, we could go with the status quo and attend to the situation on a repair basis, if culvert failure were to occur. It appears that the process of deliberation over this matter has been reset to consideration of these types of options.



# ROBINSON & COLE<sup>LLP</sup>

TIMOTHY D. BATES

75 Eugene O'Neill Drive  
New London, CT 06320  
Main (860) 437-5000  
Fax (860) 437-5099  
tbates@rc.com  
Direct (860) 437-5021

April 4, 2011

Fred B. Allyn, Jr., Mayor  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

Re: **James C. Lamb Family Trust, et al.**

Dear Mr. Allyn:

Please be advised that we have been retained to represent the James C. Lamb Family Trust, Edmund H. Lamb and Karen Lamb, Trustees, Susan Weber, Wayne Forsburg, and Julia Weber, all of Ledyard, Connecticut, in connection with concern over Town maintenance activities on Lambtown Road Extension, a scenic road. Our clients state that the Town of Ledyard has conducted numerous activities on and alongside said road without approval of the Zoning and Wetlands Commission, which has jurisdiction over the adjacent pond and stream, as well as the setbacks around those resources, and the Planning Commission, which has jurisdiction over scenic roads in the Town of Ledyard.

We are in the process of evaluating the activities of the Town in connection with the road and the pond with the hope of developing procedures and objectives which can guide the future preservation of the road and the natural resources surrounding it. We would hope to submit to you our observations and recommendations within the next sixty days.



*Law Offices*

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In the meantime, we would respectfully request that the Town not take any unilateral action that affects the wetlands surrounding the road or the appearance of the road in any way. We are simultaneously submitting a request to the Zoning and Wetlands Commission and the Planning Commission on behalf of our clients to provide notice to us of all agendas on the assumption that the Town, if it is to take any such actions, will, as required by law, file applications with those Commissions.

If the Town does take any unilateral actions, such as those described above, please be advised that we reserve the right to enforce the Scenic Road Ordinance and the Inland

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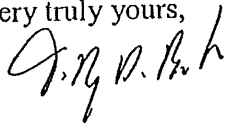
# ROBINSON & COLE<sub>LLP</sub>

Fred B. Allyn, Jr., Mayor  
April 4, 2011  
Page 2

Wetlands Act in Court and, specifically, to seek injunctive and remedial relief pursuant to Connecticut General Statutes Section 22a-16.

Thank you for your attention to this matter.

Very truly yours,



Timothy D. Bates

TDB:db

Copy to: Clients



# ROBINSON & COLE LLP

TIMOTHY D. BATES  
75 Eugene O'Neill Drive  
New London, CT 06320  
Main (860) 437-5000  
Fax (860) 437-5099  
tbates@rc.com  
Direct (860) 437-5021

*Via Facsimile and First Class Mail*

April 18, 2011

Ledyard Public Works Department  
741 Colonel Ledyard Highway  
Ledyard, CT 06339-1511  
Attn: Records Clerk

Re: **Freedom of Information Act Request**  
**Ledyard Tree Warden**  
**Removal of Trees on Lambtown Road and Lambtown Road Extension**

Dear Sir or Madam:

This is a request under the Connecticut Freedom of Information Act (Connecticut General Statutes § 1-210 *et seq.*).

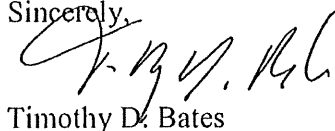
We respectfully request any and all records, files, and reports from the Ledyard Tree Warden (whom we understand is the Director of Public Works, as provided in the Charter of the Town of Ledyard), including but not limited to any notices, hearings, meeting minutes, photographs, documents and transcripts pertaining to the removal of trees on Lambtown Road and Lambtown Road Extension during the past ten (10) years.

I recognize that you may charge a reasonable cost for photographs, computer disks, or personal time to comply with this request. If you expect charges to exceed \$25.00, please contact me regarding this request.

If all or any part of this request is denied, please list the specific exemptions under which the information is being withheld. As provided in the Freedom of Information Act, please reply within 10 business days.

Thank you in advance.

Sincerely,



Timothy D. Bates

Copy to: Karen Lamb (via electronic mail)



*Law Offices*

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**TOWN OF LEDYARD**  
**CONNECTICUT**  
**PUBLIC WORKS DEPARTMENT**

741 Colonel Ledyard Highway  
Ledyard, CT 06339  
(860) 464-1100  
(860) 464-1126 fax  
smasa@town.ledyard.ct.us

April 25, 2011

Timothy D. Bates  
75 Eugene O'Neill Drive  
New London, CT 06320

Subj: Freedom of Information Request dated April 18, 2011

Dear Mr. Bates:

Attached you will find the only known records in the form of daily assignment logs regarding work that involved removal of trees with respect to the subject FOI request from your office. The few trees removed were of a relatively small caliper and taken down in the context of minor road right-of-way clearing to eliminate vegetative growth infringing on the travel portion of the roadway.

This work is identified variously on the attached work assignment records as "Brush - Lambtown Ext", "Cut Back - Lambtown Ext", "Cut Brush Lambtown Ext", "Brush Cutting Lambtown Ext", "Brush Cutting Lambtown", and "Brush Clearing Lambtown." The omission of "Ext" in the last two references was inadvertent, as the work was conducted on Lambtown Road Ext and not Lambtown Road.

Sincerely:

Steven E. Masalin  
Public Works Director

cc: Mayor



# Memorandum:

**To:** Linda Davis, Chairman, Land Use/Planning/Public Works Committee  
**From:** Steve Masalin, Public Works Director *sm*  
**Date:** June 10, 2011  
**Re:** Lambtown Road Extension Abandonment  
**cc:** Mayor

---

The prospects for relieving the real and potential impacts to Lambtown Road Extension due to beaver activity have not improved. At the same time, the demands and expectations of the adjacent property owners and others (see the attached letter from the Conservation Commission) relative to the Town's maintenance activity have seemingly increased. Efforts to coexist with the beavers and adequately maintain flows from the marsh pond under the road have presently led to an unsightly tangle of "beaver-deceiver" flex pipes and metal cages and fencing. To adequately restore necessary flow capacity that is resistive to beaver activity would be very costly at this point and would require further cooperation from adjacent property owners relative to greater encroachment and perpetual easements.

Though the previous attempt to abandon this road to private ownership through mutual consent with the property owners fell through, I would like to explore the possibility of unilateral abandonment. It appears that of the options facing the Town, this may be best and may have the collateral benefit of eliminating the type of vehicular traffic that has been an increasing source of complaint from the owners of property along Lambtown Road Extension. Please add this to your agenda for discussion. Thank you.

75 Eugene O'Neill Drive  
New London, CT 06320  
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Fax (860) 437-5099  
tbates@rc.com  
Direct (860) 437-5021

June 28, 2011

Fred B. Allyn, Jr., Mayor  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

Steven E. Masalin, Public Works Director  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

**Re: James C. Lamb Family Trust, Edmund H. Lamb and Karen Lamb,  
Trustees, Susan Weber, Wayne Forsburg, and Julia Weber/Protection of  
Lambtown Road Extension as Scenic Road**

Dear Mayor Allyn and Mr. Masalin:

We represent the above-referenced Trust and individuals, who own property adjacent to Lambtown Road Extension. We understand that the Town may be considering unilaterally abandoning this section of Lambtown Road, and we are writing to request a meeting with Town representatives before such a step is seriously considered.

Several years ago, the Town raised the possibility of abandonment, and several abutters to the road expressed interest in such action. That interest was in large part based on the neighbors' desire to have the road maintained as a scenic roadway and/or walkway.

However, not all abutters necessarily favor abandonment as a means of accomplishing this objective. It would appear possible to maintain the existing road as a scenic road, pursuant to ordinance, without abandoning it. My clients are sensitive to the possibility that the road may be part of a dam pursuant to State statutes and regulations, and, further, that the road serves a number of property owners who abut the road in both Ledyard and Groton. The Town is in a better position than the abutters to assure that the road fulfills these purposes, and the abutters appreciate the opportunity to meet with Town officials to discuss how these purposes could be achieved, without negatively affecting the scenic qualities of the road and associated fields, ponds, and wetlands.

Accordingly, we are respectfully requesting a meeting with you to discuss the future of the road and its protection as a scenic asset for the Town. Specifically, these issues



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# ROBINSON & COLE<sup>LLP</sup>

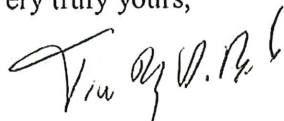
Fred B. Allyn, Jr., Mayor  
Steven E. Masalin, Public Works Director  
June 28, 2011  
Page 2

include, but are not necessarily limited to, (1) who could pass and re-pass over the road, if abandoned – just the abutters to the abandoned section of the road or all landowners on Lambtown Road (Ledyard and Groton), (2) who will maintain any dam and how it will be maintained if the road were abandoned, (3) what is the current structural integrity of the road and what impact, if any, have recent maintenance activities had on that integrity, (4) would recreational use be allowed if the road were abandoned, (5) how would emergency vehicle access to the abutting homeowners be affected if the road were abandoned, and (6) can speedbumps be installed to protect homeowners whose dwelling are located close to the road if the road were not abandoned?

As you can see from these issues, the abandonment and/or non-abandonment of the road pose a series of concerns to the abutters of the extension, and it would be helpful to get together, identify those issues, and understand their implications before moving ahead in any particular direction.

I look forward to hearing from you.

Very truly yours,



Timothy D. Bates

TDB:db





# TOWN OF LEDYARD

## CONNECTICUT

### TOWN COUNCIL

Chairman Terry Jones

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1551  
(860) 464-3203  
FAX (860) 464-1485  
E-Mail Address:  
[council@town.ledyard.ct.us](mailto:council@town.ledyard.ct.us)

July 13, 2011

Mayor Fred Allyn, Jr.  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

Dear Mayor Allyn:

During the past few years the Land Use/Planning/Public Works Committee has participated in discussions concerning the impact of the beaver activity to Lambtown Road Extension.

Recently the Committee received a copy of Robinson & Cole's letter dated June 28, 2011 in which they requested a meeting with you on behalf of their clients James C. Lamb Family Trust; Edmund H. Lamb and Karen Lamb, Trustees Susan Weber, Wayne Forsburg and Julia Weber/Protection of Lambtown Road Extension as a Scenic Road.

While the LUPPW Committee appreciates the property abutters' desire to maintain the scenic roadway designation, we also understand the town's position relative to the cost and on-going efforts to maintain the water flows and the marsh under the road. Facilitating a dialogue will provide reasonable options for consideration.

The Committee encourages your office to accommodate Attorney Bates' request and to schedule a meeting to discuss the future of Lambtown Road Extension. Members of the LUPPW Committee can attend a meeting on Tuesday, August 9, 2011 at 5:00 p.m. and are very interested in our continued participation in this matter.

It is our hope that a concerted effort between the town and the abutting property owners will provide solutions that will satisfy the concerns of the parties involved, while continuing to preserve and maintain the beauty of Ledyard's rural community.

The LUPPW Committee looks forward to meeting with you, Attorney Bates and the representatives from the Lambtown Trust. Please advise when a meeting date has been confirmed.

Thank you.

Sincerely,

*Linda C Davis*

Linda C. Davis  
Committee Chairman  
Land Use/Planning/Public Works

cc: Public Works Director/Town Engineer Steve Masalin



# ROBINSON & COLE LLP

TIMOTHY D. BATES

75 Eugene O'Neill Drive  
New London, CT 06320  
Main (860) 437-5000  
Fax (860) 437-5099  
tbates@rc.com  
Direct (860) 437-5021

December 16, 2011

John A. Rodolico., Mayor  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339

Re: **James C. Lamb Family Trust, et al.**

Dear Mayor Rodolico:

As I informed you in our telephone conference on December 16, 2011, we represent an entity and a group of individuals, including the James C. Lamb Trust, Edmund H. Lamb and Karen Lamb, Trustees, Susan Weber, Wayne Forsburg, and Julia Weber, all owning property on Lambtown Road Extension.

Last year, we sent Mayor Allyn the enclosed two letters raising concerns about the Town's maintenance of and plans for the road. Lambton Road Extension has been designated a Scenic Road within the Town, and it is my clients' position that it is not being maintained in accordance with that designation. They would appreciate an opportunity to meet with you and whatever staff you believe appropriate to discuss the future of the road and its protection as a scenic asset for the Town. We were to meet with your predecessor in September, but the hurricane intervened, and the meeting could not be rescheduled before the election.

Given the number of clients I represent, it would be useful if you could suggest a couple of dates two or three weeks ahead when we could meet, and I will then determine my clients' availability. We understand that the Town may be considering unilaterally abandoning this section of Lambtown Road, and we are writing to request a meeting with Town representatives before such a step is seriously considered.



*Law Offices*

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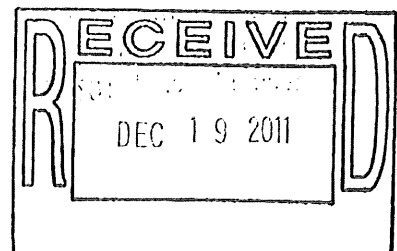
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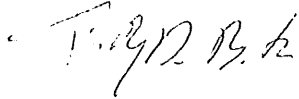
*I will send you M.D. Jan '12*

# ROBINSON & COLE<sub>LLP</sub>

John A. Rodolico, Mayor  
Town of Ledyard  
December 16, 2011  
Page 2

I look forward to meeting with you.

Very truly yours,

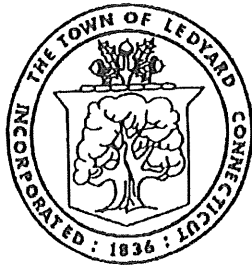


Timothy D. Bates

TDB:db

Copy to: Clients





# TOWN OF LEDYARD CONNECTICUT

## OFFICE OF THE MAYOR

John A. Rodolico  
Mayor

Mark J. Bancroft  
Mayoral Assistant

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1551  
(860) 464-3221  
FAX (860) 464-8455

March 5, 2012

Attorney Timothy D. Bates  
75 Eugene O'Neill Drive  
New London, Connecticut 06320

Dear Attorney Bates:

This letter is written to clarify the Town's position relative to the Lambtown Road Extension issues raised in your December 16, 2011 letter and during our meeting on January 27<sup>th</sup>. The hope is to reach a consensus and to proceed with a plan that preserves the attributes of the scenic road, provides the required maintenance, and accomplishes these goals at a reasonable cost to the town.

Roadside Maintenance – the town's systematic program for roadside mowing and brush removal is detailed on the town's web site. While recognizing the unique nature of this road and the requirements of State statutes it is the town's intention to limit maintenance, including roadside mowing, to that needed to allow safe transit for non-commercial vehicles.

Beaver Impacts – the town will continue to monitor beaver activity and make a reasonable attempt to limit adverse effects of the beaver activity. The work performed by Mr. Hilliker has been a valuable asset in this effort. While the surrounding property owners acknowledged a willingness to allow actions to control the beaver population, the town has no intention of taking such action at this time.

Long-Term Road Integrity – the town is concerned about the long-term effects of the beaver activity and the integrity of the road acting as a dam between Ed Lamb Brook Pond and Haleys Brook. It is evident that the measures implemented to mitigate beaver activity, though suitable for normal conditions, are not adequate for severe storm events. Also, the present measures have become progressively less effective and, coupled with the natural deterioration of the primitive drop culvert, will require more than the annual maintenance performed in the last ten years. It is estimated that replacement of the dam portion of the road, including the culvert and

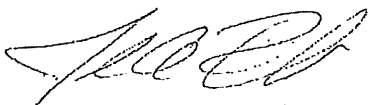
beaver deceiver, would be a significant expense and must be weighed against other planned town infrastructure projects.

Seasonal Closing – Attorney Bates introduced the possibility of seasonal closing of the road. This option would be less complicated than permanent road closure and would significantly reduce road maintenance requirements. The town considers this option to be worth studying. Details would need to be worked out, but must include continuous access for emergency vehicles and pedestrians.

Truck and Bus Restrictions – the town has had a conversation with School Superintendent Mike Graner concerning limiting the use of this road by school busses and is willing to consider a recommendation to the Town Council to place truck restrictions on this road.

Please consider the above and feel free to contact my office should you wish to further discuss this issue.

Regards

A handwritten signature in dark ink, appearing to read 'J. Rodolico', with a stylized flourish at the end.

Mayor John A. Rodolico

cc: Town Council  
Public Works Director  
School Superintendent



AN ORDINANCE CONCERNING THE DESIGNATION OF SCENIC ROADS

Be it ordained by the Town Council of the Town of Ledyard

Section 1.

Pursuant to the Provisions of Section 7-149a of the Connecticut General Statutes (P.A. 81-401), the Planning Commission may designate town highways or portions of highways as scenic roads. No state highway or portion thereof may be designated as a scenic road under this Ordinance.

Section 2.

The Planning Commission shall consider designating as a scenic road only those Town roads which are free of intensive commercial development and intensive vehicular traffic and meet at least one of the following criteria:

1. it is unpaved
2. it is bordered by mature trees or stone walls
3. the traveled portion is no more than twenty feet in width
4. it offers scenic views
5. it blends naturally into the surrounding terrain, or
6. it parallels or crosses over brooks, streams, lakes or ponds.

Section 3.

- a. When a highway is to be considered for designation as a scenic road, the Planning Commission shall schedule a Public Hearing on the proposal. Hearing notices and deadlines shall be in accordance with the provisions of Sections 8-26d and 8-26e of the Connecticut General Statutes. The Planning Commission shall notify the Town Council, the Public Works Director and owners of lot frontage abutting the highway or portion of a highway of the proposed designation and scheduled public hearing.
- b. Following the Public Hearing, the Planning Commission shall vote on the proposed designation. No highway or portion of a highway may be designated as a scenic road under this

section unless the owners of a majority of lot frontage abutting the highway or portion of the highway agree to the designation by filing a written statement of approval with the Town Clerk of the Town of Ledyard. The designation shall become effective upon such date as the Planning Commission shall establish.

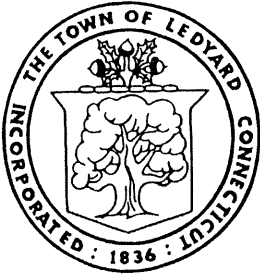
- c. The scenic road designation may be rescinded by the Planning Commission, using the same procedures and having the written concurrence of the owners of a majority of lot frontage abutting the highway.
- d. Any person aggrieved by a designation of a highway or portion of a highway as scenic road pursuant to this section by the Planning Commission may appeal such designation in the manner and utilizing the same standards of review provided for appeals from the decisions of Planning Commissions under section 8-28.

#### Section 4.

- a. No road which has been designated as a scenic road under this Ordinance shall be altered or improved, including but not limited to, widening of the right-of-way or of the traveled portion of the highway, paving, changes of grade, straightening, removal of stone walls and removal of mature trees, except for good cause determined by the Planning Commission. The Planning Commission shall state the reasons for such future alterations and improvements in its minutes.
- b. Any highway or portion of any highway designated as a scenic road shall be maintained by the town, in good and sufficient repair and in passable condition. Nothing in this section shall be deemed to prohibit a person owning or occupying land abutting a scenic road from maintaining and repairing the land which abuts the scenic road if the maintenance or repair occurs on land not within the right-of-way, paved or unpaved, of the scenic road.

Adopted: May 9, 1984.

Effective: July 5, 1984.



# TOWN OF LEDYARD CONNECTICUT

## OFFICE OF THE MAYOR

John A. Rodolico  
Mayor

Mark J. Bancroft  
Mayoral Assistant

741 Colonel Ledyard Highway  
Ledyard, CT 06339-1551  
(860) 464-3221  
FAX (860) 464-8455

October 3, 2012

To: Ledyard Planning Commission

From: John A. Rodolico, Mayor

### **RE: Public Hearing on the Potential Seasonal Closure of Scenic Road Lambtown Road Extension**

Lambtown Road Extension is designated as a scenic road in accordance with Ledyard Ordinance #29 – An Ordinance Concerning the Designation of Scenic Roads. This ordinance provides the criteria, process and maintenance of scenic roads. Due to the nature of this unpaved road, which borders a pond and acts as a dam for Haley's Brook, maintenance of this road has been costly in terms of manpower and material required and the need to balance road upkeep while maintaining the natural character of the road.

As Lambtown Road Extension is unpaved, a significant issue in road maintenance is the inability to construct a graded road surface to expedite drainage. If such a road were constructed, during snow plowing the crown of the road would be removed, resulting in the need to reconstruct the road each spring and also contributing to the inadvertent widening of the road. For this reason it has not been cost-effective to properly grade this road, resulting in severe damage to the roadbed each winter.

The Mayor's office has facilitated several meetings between Lambtown Road and Lambtown Road Extension property owners, Attorney Tim Bates, who represents some of these property owners, Ledyard Public Works and the Town Engineer to discuss issues related to maintenance and the long-term welfare of this road. One of the joint recommendations resulting from these discussions was seasonal closing. This option has several positive aspects:

1. Seasonal closure would significantly reduce road maintenance requirements. This road is unpaved and must be refilled and graded each spring due to damage from snow plowing.
2. Access for pedestrians will not be restricted.

3. Access for emergency vehicles and residents will be provided through the southern end of the road through an unlocked access gate. This road is not used by school busses in transporting students.
4. Access for adjoining property owners to farmland will not be restricted.
5. Seasonal closure would be less complicated than permanent road closure.

Preliminary plans for seasonal closure include installing gates at the north and south end of the road. The north gate will be locked, and the south gate will be closed but unlocked. The single residence on the south end of the road has been consulted and will be able to obtain necessary access and services with this closure.





Chairman Linda C. Davis

# TOWN OF LEDYARD

## CONNECTICUT

### TOWN COUNCIL

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339-1551  
(860) 464-3203  
FAX (860) 464-1485  
[council@ledyardct.org](mailto:council@ledyardct.org)

### RESOLUTION

### AUTHORIZING THE PERMANENT CLOSURE

### OF LAMBTOWN ROAD EXTENSION

WHEREAS: the seasonal closure of Lambtown Road Extension is now in its second year of such closure without substantive complaint, but with widespread public support;

WHEREAS: the adjacent property owners of Lambtown Road Extension are in unanimous support of extending such closure to one of a permanent basis;

WHEREAS: the Town of Ledyard would save further costs associated with road maintenance required for public vehicular traffic; and

WHEREAS: Lambtown Road Extension would remain under Town of Ledyard ownership and maintenance authority, supporting perpetual pedestrian use and emergency vehicle access;

NOW, THEREFORE, BE IT RESOLVED: that the Town of Ledyard authorizes the permanent closure of Lambtown Road Extension.

AND FINALLY, BE IT RESOLVED: that in keeping with the provisions of Ordinance #29, (An Ordinance Concerning the Designation of Scenic Roads), Lambtown Road Extension "*shall be maintained by the town, in good and sufficient repair and in passable condition,*" according to the needs associated with its new level of use.

Adopted by the Ledyard Town Council on: March 26, 2014

Linda C. Davis  
Linda C. Davis, Chairman

IN WITNESS HEREOF, I, Patricia Riley, the duly qualified and acting Clerk of the Town of Ledyard, Connecticut, do hereby certify that the above resolution was adopted at a regular meeting of the Town of Ledyard, held on March 26, 2014, and is on file of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

(seal)

Patricia A. Riley  
Patricia A. Riley  
Town Clerk

RECEIVED FOR RECORD  
2014 AUG 14 AM 9:41  
Ledyard Town Clerk