

**From:** [Debrodt, Justin T CTR USN COMREGSUPPGRU GTN CT \(USA\)](#)  
**To:** [Juliet Hodge](#)  
**Subject:** RE: Saddle Ridge Developers v. Easton PZC  
**Date:** Friday, April 5, 2024 4:38:23 PM  
**Attachments:** [image002.png](#)

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Juliet,

I think the IWWC should review the new Avery Brook Application.

IWWC Regulations Section 1: Title and Authority and CT State Statute Section 22a-36 state “Protecting the state’s potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse and mismanagement by providing an orderly process to balance the need for the economic growth of the state and the use of its land with the need to protect its environment and ecology in order the forever guarantee to the people of the state, the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.” Groundwater, wetlands, and water courses on and adjacent to the proposed development are linked in an interconnected system and thus must all be considered when analyzing the effects of the proposed development. The proposed intense development of 18 homes on 5.62 acres adjacent to the Billings-Avery Reservoir and contributing wetlands and water course may pose a risk of pollution to the potable fresh water supply utilized for safe local and regional drinking water by nearby residents, anticipated future residents of developed land and customers served from the Billings-Avery Reservoir.

A Regulated Activity is defined in Section 2: Terms and Definitions as “any operation within or use of a wetland or water course involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or water courses or any other activity which may impact or effect the wetlands.” Although the proposed activity occurs outside the Upland Review Area (defined as “the 100’ area extending from the limits of a wetland or water course within which activities may be regulated.”), the proposed activity may still pollute or otherwise impact or effect the Billings-Avery Reservoir and contributing wetlands and watercourse.

For these reasons, IWWC Regulations and enforcement are applicable to the entirety of the proposed activity and not limited to only those activities within a wetland or water course or the Upland Review Area.

I also think the IWWC should review the 59 Kings Highway application as a significant portion of the site drains in the direction of the wetland and the proposed activity may impact or affect the wetlands.

I will be on vacation all next week and away from a computer. If you have any questions or concerns about my input, please call or text me.

r/

Justin DeBrod  
(860)8611-2937

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**From:** Juliet Hodge <planner@ledyardct.org>  
**Sent:** Thursday, April 4, 2024 3:07 PM  
**To:** Debrodt, Justin T CTR USN COMREGSUPPGRU GTN CT (USA) <justin.t.debrodt.ctr@us.navy.mil>  
**Subject:** [Non-DoD Source] FW: Saddle Ridge Developers v. Easton PZC

Take a look at this case.

I will need to know if you feel that the Commission should review the new Avery Brook Application AND the proposed 10 Mobile Homes on 59 King's Highway. There are wetlands on the property- a small one- but no "activity" is proposed within the buffer – though I believe the whole site drains in the direction of that wetland.

 [PZ#24-1SITE - 59 Kings Hwy - Application.pdf](#)

Let me know what you want to do. If you feel they should go before IWWC, I would need you to submit a letter to PZC (by 4/11) stating that you want to review it.

Thanks.

Juliet

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**From:** Capon, J Anthony <tcapon@pitt.edu>  
**Sent:** Thursday, April 4, 2024 2:00 PM  
**To:** Juliet Hodge <planner@ledyardct.org>  
**Subject:** Saddle Ridge Developers v. Easton PZC

I attached this court decision. It seems to be almost exactly on point regarding Peter's revised Stoddards Wharf application.