

To: Mr. John Moulson, Chairman
Inland Wetlands and Watercourses Commission, Town of Preston
Preston Town Hall, 389 Route 2
Preston CT 06365

From: Edwin and Carol Guffy, 14 Lynn Drive, Preston, CT

Date: December 21, 2021

Subj: Blue Water CT LLC Application, Public Hearing Comments

Below find a synopsis of our public comments along with an attached photograph for your review and reference. Thank you.

As with the recommendation of CLA engineer Thomas Cummings that stormwater needs to be addressed per watershed, I believe that this complex project needs be reviewed by specific areas as well. The specific requirements of section 1.3 of the regulations are distinct depending on the area, wetland and watercourse, site characteristics and chosen treatment options. As an example, while most erosion controls, stormwater management systems and other measures are shown to be the latest, they are not universally applied to the entire site. I have chosen the Northwesterly peninsula as an example.

- **The Northwesterly peninsula, comprising 15 sites or less then 5% of the total in the project, involves 40% of the total disturbed shoreline on Avery Pond. I have provided a photograph taken on 12/17/2021 showing that the majority of trees which will be removed as indicated in the plan are located within this area.**
- **The peninsula development also requires temporary disruption of the wetland area to construct road access for construction equipment, building of the elevated cart path for access, and installation of sewage lines.**
- **The same wetland area will then be permanently impacted by use/maintenance of the cart path and the always present danger of accidental sewage leaks.**
- **The construction in the peninsula area in particular has increased potential for pollution direct to the wetlands due to fuel and hydraulic spills from in-field refueling and hydraulic system failures. These are very common spills associated with construction equipment.**

Stormwater runoff are direct discharge to wetlands or the watercourse. As Mr. Cummings notes, this drains to wetlands without treatment. Joseph R Theroux, Certified Forester and Soil Scientist in his report, page 15 and 16, states "storm water quality basins, rain gardens and swales are designed to infiltrate and/or directly discharge treated stormwater" and his approval for the purposes of water quality is predicated on the discharge of treated stormwater.

- The watershed encompassing both safari tent sites, P2B, discharge directly to wetlands while the watershed serving those sites directly on Avery Pond, P2A, discharge directly to the pond.

Proposed kayaks and canoeing and the associated Ramp and Dock

- Activity is NOT recreational boating. Recreational boating is a non-regulated use, the applicant is not participating in recreational boating. The access ramp, dock and boating indicated in the application are a commercial boat livery system designed to provide access to the pond to the exclusion of the general public and should be evaluated as a regulated use.
- To be sure, the construction of the access ramp and the dock itself are regulated. In 2000, the commission provided the a residential temporary structure of approximately 250 square feet did not require permitting. This dock is considerably larger. Since no part, ramp, dock and boats for hire exist as a single unit, they should be considered as one system.
- The access ramp is well documented as to construction techniques, provided all recommendations provided by Mr. Theroux are followed. However, from my personal experience with large projects involving placement of concrete in a marine coastal environment, the applicant needs to be required to establish and maintain controls to eliminate concrete trucks from discharging to the watercourse when cleaning chutes and tires. Concrete is highly caustic as well as containing numerous metals such as zinc, lead, and chromium.
- The application for the floating dock does not contain all the required information in Section 7 of the regulations. There are no detailed construction drawings since the provided drawing does not include dimensions of the floats. The application does indicate that the dock will not be anchored in the pond, however, Avery Pond shoreline can recede as much as 6' with the water level lowering as much as 3' most years. This dock will undoubtedly be resting on the pond bottom at some time in any given year.
- Additionally, the applicant states that the dock will be removed at the discretion of the camp management. How is this to be accomplished? Will there be heavy equipment operating within the regulated area? Will the permit require that the dock not be placed or removed during prime gamefish spawning periods to protect this resource?
- The applicant has indicated use of kayaks and canoes. If approved, does this constitute a permit limitation? If the applicant later desires to provide other types of craft, such as paddleboats, is a permit modification required?
- Avery Pond has a public boat launch as well as 27 deeded residential right of ways. How many boats are authorized and what calculations have been conducted to determine safe usage under Section 8.5 of the regulations. Connecticut regulations allow the use of motorboats on the pond up to 8 mph. Kayaks, particularly for novice users, pose a safety issue for both user and other boats.

Evaluation of Economic Considerations

- In the Application narrative dated October 11, 2021, beginning on page 20, the applicant has provided a discussion of “No Feasible and Prudent Alternative”. However, the section provides no discussion of considered and rejected alternatives and no justification for the arrived conclusions.
- The applicant states only that the Site Plan represents the minimum level of development required to be economically prudent. This statement is made without reference to any economic study.
- Although the applicant states that waterbased recreational opportunities are a critical component to the success of all Blue Camp CT LLC resorts, there is no discussion and no basis on which to judge that this statement is true for this particular development
- The Commission requires sufficient information to make any determination on the overall impact to the economy of the people of Preston and the State of Connecticut. Merely stating it is so is insufficient.
- Since the applicant relies on reference to Blue Water CT LLC affiliates as sufficient information to judge all the statements provided in the application, it must noted that in a public meeting hosted by Blue Water on Wednesday June 23,2021 and attended by 50 members of the Preston as well as at least one elected official, Mr Todd Burbage of Blue Water CT LLC stated that he would consider reducing the number of campsites. Which statement is the Commission to use to evaluate alternatives?

Recommendation

While I urge the Commission to reject the application in total, if any approval is contemplated, I recommend the following:

- Deny development of the safari tent sites as well as the 23 back-in RV sites that discharge untreated stormwater and have maximum impact to within the regulated areas
- Find that the existing public access as provided by the State of Connecticut is a feasible alternative to the proposed private boat livery.

Even if approved in total, all of the recommendations provided by Mr. Cummings and Mr. Theroux should be included as requirements to the permit.

Sincerely,


Edwin Guffy


Carol Guffy

Peninsula

