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April 21, 2022

Town of Preston Planning and Zoning Commission  
Attention: Mrs. Kathy B. Warzecha  
Director of Planning  
389 Route 2  
Preston, Connecticut 06365

Re: Application of Blue Camp CT LLC for Special Exception and Site Plan Approval  
for a Recreation Campground at 451, 455 and 495 Norwich-Westerly Road  
(Connecticut Route 2)

Dear Mrs. Warzecha:

This letter is written in response to the Town Planner's Supplemental Comment List with respect to the above referenced special exception and site plan application currently in the public hearing process before the Town of Preston Planning and Zoning Commission. This correspondence is intended to supplement the response letter of Alfred Benesch & Company dated April 7, 2022 with respect to Review Comment 36 which provides as follows:

“There were several items added into the record regarding various environmental impacts, please address, especially the impact on the alewife migration, the potential existence of the tile drainage system, how it will protect riparian vegetative see corridors for the wetland (50 feet) and the artificial lighting (addressed) letter from Jean Pillo from the Eastern CT Conservation District, and the buffer, water quality and stormwater maintenance concerns and impacts on the pond in a letter from George Knoecklein. It is my opinion that this is primarily the concern of the IWWC, but there is a provision in the regulations that indicate that the use will not adversely impact environmental quality.”

In response, Alfred Benesch & Company addressed the issue of artificial lighting and the fact that extensive site investigation with respect to the property which is the subject of the special exception and site plan application has not disclosed evidence of any tile drains present on the property. This letter addresses the other issues/questions raised in the review comment.

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Supplementing the Benesch response, a review of a plan entitled "Blue Water Recreational Campground Resort at Avery Pond 451, 455 & 495 CT Route 2 Preston, CT Property Owner: Mashantucket Pequot Tribe Existing Zoning District: RC Proposed Use: Recreation Campground Project No. 70486.02 Scale: 1"=40' Date: 11/12/2021 Revisions 11-12-2021 Site Plan & Special Exception Application 01-11-2022 Response to IWWC Comments 02-04-2022 Response to IWWC Comments 02-11-2022 Response to P&Z Comments 03-09-2022 Response to Public Hearing Comments 04-07-2022 Response to Staff Comments Drawn By: GSL Checked By: WGW Site Lighting View 4 Drawing No.: SL-1.4 Prepared By: Benesch Alfred Benesch & Company 120 Hebron Avenue Glastonbury, Connecticut 06033 860-633-8341 Prepared For: Bluewater Sun RV Resorts" evidences the fact that not only will there be no night time light migration onto Avery Pond or the protected 100 foot undisturbed buffer strip adjacent to Avery Pond, but it also evidences the fact that there will be no light migration onto either the riparian wetlands adjacent to Indiantown Brook or onto Indiantown Brook itself. Therefore, this sheet of the site development plan clearly evidences the fact that the concern raised by Jean Pillo in her project critique which is in the public hearing record, is not supported by the site development plan itself. The lighting plan formulated for the project prevents light migration which could have any adverse impact on alewife transitioning through Indiantown Brook to either Avery Pond or Amos Lake. It should also be noted that the stormwater management system designed for the easterly portion of the project directs stormwater to water quality basins in the opposite direction from Indiantown Brook where that stormwater is renovated in accordance with the 2004 Stormwater Quality Manual (see subsequent discussion herein). No unrenovated stormwater is discharged in an easterly direction toward Indiantown Brook.

As indicated in Comment 36 of the response letter, the issues raised therein are primarily within the jurisdiction of the Preston Inland Wetlands and Watercourses Commission. The Preston Inland Wetlands and Watercourses Commission conducted several nights of public hearing with respect to the application and elicited numerous reports and hours of testimony with respect to perceived adverse impacts, or lack thereof, to inland wetlands and watercourses. Connecticut General Statutes Section 22a-41(c) provides as follows:

- "(c) For purposes of this section (1) "wetlands or watercourses" includes aquatic, plant or animal life and habitats in wetlands or watercourses, and (2) "habitats" means areas or environments in which an organism or biological population normally lives or occurs."

Subsection (d) of that same statute provides as follows:

- "(d) A municipal inland wetlands agency shall not deny or condition an application for a regulated activity in an area outside wetlands or watercourses on the basis of an

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impact or effect on aquatic, plant, or animal life unless such activity will likely impact or affect the physical characteristics of such wetlands or watercourses.”

Reading subsections (c) and (d) of Connecticut General Statutes 22a-41 in concert with respect to their applicability to the matter pending before the Town of Preston Planning and Zoning Commission, it is clear that primary jurisdiction for considering all impacts to inland wetlands and watercourses, including impacts to aquatic, plant or animal life located within those wetlands and watercourses, is within the jurisdiction of the municipal inland wetlands and watercourses agency. It is also clear that the municipal wetland agency cannot deny or condition a permit application on activities occurring in upland areas unless those activities result in a physical impact on the wetland or watercourse resources which include the aquatic, plant or animal life within the wetland or watercourse habit. In the proceeding before the Town of Preston Inland Wetlands and Watercourses Commission with respect to the proposed Blue Water Recreation Campground, professional investigations were conducted and analyses performed to determine whether or not the proposed project, as its formulation was refined through the public hearing process, would adversely impact the environmental quality of wetlands or watercourses, including those aquatic, plant, fish or other animal life living in the wetland or watercourse habitats. An extensive evaluation was performed to both quantify, qualify and evaluate the characteristics of the wetlands and watercourses on and adjacent to the project site and to evaluate whether or not the proposed development of the Blue Water Recreation Campground would adversely affect those resources. That report, titled “Wetlands Assessment & Impact Analysis Bluewater Recreational Campground Resort at Avery Pond CT Route 2, Preston, Connecticut November 8, 2021 Prepared By REMA Ecological Services, LLC” was considered by the municipal Inland Wetlands and Watercourses Commission in its administration of the regulated activity permit application which it considered on behalf of Blue Camp CT, LLC. Although the applicant believes that the matters evaluated therein are within the exclusive jurisdiction of the municipal Inland Wetlands and Watercourses Commission, we are, in response to Review Comment 36, referring you to the report, already in the public hearing record as Exhibit 7 prepared by REMA Ecological Services, LLC which evidences compliance with environmental quality parameters as the same may apply to wetland and watercourse resources.

In response to the report prepared by George Knoecklein with respect to potential impacts on Avery Pond, the applicant retained the services of Carl Nielsen, a certified lake manager and limnologist, to consult with the Blue Camp CT, LLC development team on potential project impacts to Avery Pond which could result from the development initiative as it was formulated at the time of his engagement. Consistent with the findings of George Knoecklein, Carl Nielsen rendered a professional opinion to the Blue Camp CT, LLC development team that the close proximity of the development (as it was formulated at that time) to Avery Pond, had the potential to have long term adverse impacts to the environmental quality of Avery Pond. Based upon Mr.

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Nielsen's recommendations to the development team, all proposed development activity has been removed from the development initiative within 100 feet of the high water line of Avery Pond, resulting in (a) a reduction of twenty-two (22) proposed recreation campground sites in the project, the elimination of a floating dock in Avery Pond and the maintenance of a 100 foot natural vegetated buffer around the pond. The report of Mr. Nielsen (dated March 11, 2022) which was presented to and evaluated by the municipal Inland Wetlands and Watercourses Commission, is attached hereto and submitted into the record of the special exception proceeding before the Town of Preston Planning and Zoning Commission to evidence the fact that the environmental quality of Avery Pond will not be adversely impacted by the Blue Water Recreation Campground initiative, as it is formulated based upon the April 7, 2022 revisions to the site development plan.

Specifically within the charge of a municipal planning and zoning commission, based upon the enabling legislation for the adoption of zoning in the State of Connecticut (Connecticut General Statutes §8-2) is the protection of groundwater and drinking water resources. The State of Connecticut Department of Energy and Environmental Protection, in 2002, adopted the Connecticut Guidelines for soil erosion and sediment control. These guidelines were promulgated in order to establish parameters for the control of erosion and sedimentation during construction throughout the State of Connecticut in order to protect surface water, ground water and drinking water resources. In addition, the State of Connecticut Department of Energy and Environmental Protection has adopted the December 31, 2020 "General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities" which applies to any ground disturbance in excess of five acres. The development of the Blue Water Recreation Campground at Avery Pond will be required to register with the State of Connecticut Department of Energy and Environmental Protection under this general permit. Registration under the general permit will include not only the comprehensive erosion and sediment control plan incorporated into the project vernacular as Plan Sheets C-1.0 thru C-1.5, but will also incorporate therein specific monitoring and reporting requirements which must be followed by the developer and its contractor until the site is fully constructed and stabilized. This protocol is designed to ensure that no adverse impacts to environmental quality will occur as a result of the development of the site as that development has been formulated though the site development plan.

In addition, the State of Connecticut Department of Energy and Environmental Protection, in 2004, adopted the Connecticut Stormwater Quality Manual. The regulatory parameters contained in the Stormwater Quality Manual have been formulated in order to establish criteria for the renovation of stormwater runoff from improved sites in order to protect the surface water, groundwater and drinking water of the State of Connecticut. As evidenced by the plethora of information which has been submitted into the public hearing record by the development team for Blue Camp CT, LLC; the development initiative, as formulated, complies with the requirements of both the 2002 Guidelines for Soil Erosion and Sediment Control and the 2004 Stormwater

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Quality Manual. The Town of Preston, acting through its municipal planning and zoning commission and its inland wetlands and watercourses commission, has engaged the services of CLA Engineers, Inc. (professional engineers) and Joseph Theroux (certified soil scientist) in order to review the development initiative and render peer review comments. Both peer reviewers, in their various reports to the Inland Wetlands and Watercourses Commission and the Planning and Zoning Commission, have indicated that all staff review comments concerning environmental quality, and specifically soil erosion and sediment control and stormwater volume and quality requirements, have been satisfied. Inherent in those opinions is compliance with the regulatory requirements of the 2002 Soil Erosion and Sediment Control Guidelines and 2004 Stormwater Quality Manual. Submitted with this response to Review Comment 36 in support thereof are the following:

1. April 19, 2022 updated review letter of CLA Engineers, Inc. evidencing the fact that, based upon a review of the revised plans dated April 7, 2022, all engineering peer review comments have been adequately addressed.
2. Also attached is the review letter of February 10, 2022 from Joseph R. Theroux, certified forester and soil scientist, addressed to the Preston Inland Wetlands and Watercourses Commission. The concluding paragraph in that correspondence states "It is my opinion that due to the revisions in the design plans, there will be no significant impacts to the wetlands due to the construction and operation of the proposed project provided that the proposed E&S measures are correctly implemented, inspected and maintained."

Specific standards have been adopted in the State of Connecticut for the renovation of stormwater runoff from improved surfaces and for the protection of groundwater and drinking water supplies. Those parameters have been incorporated into the design of the Blue Water Recreation Campground at Avery Pond, as enumerated above. Satisfaction of these regulatorily enacted standards is, ipso facto, evidence of compliance with the environmental quality goals and standards in the State of Connecticut; and, should be deemed to satisfy the "environmental quality" standard enunciated in the Town of Preston Zoning Regulations.

Finally, it should be noted that the majority of the project site is located in an open field area which is slowly gravitating into successional growth as a result of the cessation of agricultural operations on the property. The agricultural activities on the site which have historically been conducted have rendered the majority of the project site a poor habitat area. A question was posed by the Planner as to the environmental impact of the Blue Water Development initiative compared to the former agricultural operation on the ecology of both Avery Pond and the riparian wetland corridor associated with Indiantown Brook. The response to that query is contained in the report

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of Carl Nielsen which concludes that the development proposed by Blue Camp CT, LLC has marginally less impact on those resources than the former agricultural activities.

In conclusion, the development initiative as portrayed by the April 7, 2022 revised site development plan, is consistent with the environmental quality goals contained in the Preston Zoning Regulations. It should be noted that a majority of the development site is located in the Resort Commercial Zoning District. The Plan of Conservation and Development of the Town of Preston encourages development of well thought out and designed projects in the Resort Commercial District in order to provide economic development for the Town of Preston. This project, as currently formulated, satisfies both the goals and initiatives of the Plan of Conservation and Development for the promulgation of ratables in the Resort Commercial Zoning District while avoiding impacts to sensitive areas in which both habitat and water quality have been protected by the design of the project.

Very truly yours,

**BLUE CAMP CT, LLC**

By   
\_\_\_\_\_  
Harry B. Heller, Its Attorney

HBH/smr  
Enclosures  
cc: Michael Carey, Esq. (with enclosures)

# CLA Engineers, Inc.

Civil • Structural • Survey

317 MAIN STREET • NORWICH, CT 06360 • (860) 886-1966 • (860) 886-9165 FAX

April 19, 2022

Mrs. Kathy Warzecha  
Town Planner  
389 Route 2  
Preston, CT 06365

RE: Blue Camp CT  
SE #2021-03 & SP #2021-02  
CLA-5918V

Dear Kathy:

We have reviewed the revised plans received in our office on April 12, 2022 and associated documents submitted for the proposed RV park on 451, 455 & 495 Route 2. We note that our previous comments have been satisfactorily addressed and that the Erosion and Sedimentation Control Bond amount of \$461,000 is appropriate.

Very truly yours,

  
Thomas L. Cummings, P.E.

TLC:bab



**JOSEPH R. THEROUX**

~ CERTIFIED FORESTER/ SOIL SCIENTIST ~  
PHONE 860-428-7992 ~ FAX 860-376-6842  
P.O. BOX 32, VOLUNTOWN, CT. 06384

FORESTRY SERVICES ~ WETLAND IMPACT ASSESSMENTS  
WETLAND DELINEATIONS AND PERMITTING ~ E&S/SITE MONITORING  
WETLAND FUNCTION & VALUE ASSESSMENTS

2/10/2022

Town of Preston  
Inland Wetlands and Watercourses Commission  
389 Route 2  
Preston, CT. 06385-8830

Re: Benesch response & revisions to plans for the proposed site development for the Bluewater Recreational Campground Resort, located at 451, 455 and 495 Norwich-Westerly Road, (Route 2), Preston, Connecticut.

Dear Commissioners,

At your request, I have reviewed the revised site plans entitled: "BLUEWATER RECREATIONAL CAMPGROUND RESORT AT AVERY POND, 451, 455, & 495 CT ROUTE 2 (NORWICH- WESTERLY ROAD), PRESTON, CONNECTICUT. Issued for IWWA comment revisions. These plans were prepared by Alfred Benesch & Company and are originally dated January 11, 2022. The latest revisions to the plans are dated 2/4/2022.

Benesch Engineers sent me a letter dated February 4th, 2022 summarizing their review of my comments, their responses, and corresponding revisions to the project plans.

For simplicity, I will address their comments and revisions by item, to be consistent with their letter.

1.) Regarding wetland flagging:

The applicant will re-flag the wetland delineation in the areas that I indicated prior to any pre-construction activity. This will allow for the monitoring of potential erosion & sedimentation impacts and posting of signage.

2.) Regarding the stormwater treatment/rain garden in the northwest safari area:

As this area has been re-configured, the rain garden is positioned to collect and treat surface stormwater flows both during and post construction.

3.) Regarding E&S measures:



As the proposed E&S measures have been upgraded, I feel these measures in the construction areas in close proximity to the wetlands are now adequate to protect the wetlands in the event that erosion occurs. This is provided that the E&S measures are correctly installed, inspected and maintained.

- 4.) Regarding the direct wetland impact for the construction access to the northwest safari area:

The note requiring any disturbed areas be seeded with New England Wetmix seed mix to stabilize and restore these areas is shown on sheet C-1.3 and C-5.3.

- 5.) Regarding the construction of the boardwalk and floating dock:

The note on the plan stipulates that the construction in these areas will occur between July and December.

- 6.) Regarding the grading and construction activity in close proximity to the wetlands in numerous areas:

The project plans have been revised to increase distances between the wetlands and grading/construction to a minimum of 25 feet, with the exception of the temporary disturbance associated with the construction of the northwest safari tent area.

This increase between the construction activity and the wetlands will help in the event of a breach of the E&S measures, and allow for a wider riparian corridor for wildlife.

- 7.) Regarding the recreational or maintenance path shown along the wetlands on the original plan:

This path is no longer proposed.

- 8.) Regarding the posting of the wetland boundaries with signage:

The signage detail has been added to the revised plans on sheet C-7.0.

This will help prevent future encroachments and impacts to the wetlands.

Other revisions to the project plans that were discussed include:

- 1.) Aside from the paved main access drives and parking areas around the welcome center and maintenance buildings, the remaining access roads are all proposed to be gravel surfaces with a compacted granular base.

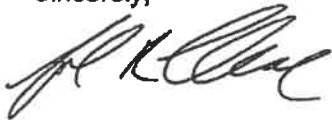
On 3 of the access drives in the central portion of the site, an 8-foot-wide bituminous strip with catch basins is now proposed to collect storm water runoff and prevent erosion of the gravel surfaces. The pervious gravel sections of the roads will allow for infiltration of storm water. This will significantly reduce the volumes of stormwater introduced into the stormwater basins.

2.) The stormwater quality basin planting plans have been revised to accommodate the maintenance and removal of sediment accumulations in the inflow and outflow locations. This will reduce the disturbance to and/or elimination of vegetation in these areas.

3.) Lastly, in two areas, a total of 16,000 square feet of wetland mitigation is proposed by creating wetlands. These areas are labeled as wetland restoration areas 1 & 2 and shown on sheets C-3.3 and C-5.3. These areas will provide wetland functions and values such as wildlife habitat, ground water recharge/discharge, sediment/toxicant retention, nutrient removal/retention, production export and visual quality & aesthetics.

In summary, it is my opinion that due to the revisions in the design plans, there will be no significant impacts to the wetlands due to the construction and operation of the proposed project provided that the proposed E&S measures are correctly implemented, inspected and maintained.

Sincerely,



Certified Forester and Soil Scientist

Member SSSSNE, SSSA