



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



July 23, 2003

Mr. Peter S. Turello, Jr.
42 Woodlawn Road
New London, CT 06230



Re: DEP Grant Conditions on Induced Growth

Dear Mr. Turello:

This is in reference to our walk-over of your property at 10 Shore Drive in Waterford. This property is in the Ridgewood Park area, which was served by sub-standard sanitary sewers prior to DEP funding a Clean Water Fund project to modernize the sanitary sewer system and eliminate raw sewage overflows resulting from the surcharging of the sewers.

The project is covered by DEP's standard condition regarding the avoiding of inducing growth in environmentally sensitive areas. That condition states that, if a vacant piece of land containing environmentally sensitive resources (wetlands, floodplains, etc.) could not have been developed without the presence of the sewers, then the land cannot be developed once the sewers have been installed. The usual test of this condition is to determine whether the property could have had a properly sited, health-code compliant septic system installed. If such a system could have been installed, then the property is allowed to be developed to the same level that the septic system would have provided.

The property in question, however, does not need to demonstrate this ability, because sanitary sewers were available to it prior to the initiation of the DEP-funded project. The original Ridgewood Park sanitary sewer system provided the property with the ability to be developed without the DEP-funded sewers which followed years later. Therefore, the connection of this property to the sanitary sewer is not restricted by DEP's grant conditions. All other state or local conditions on developing this property remain in effect.

If you have any questions concerning this matter, please feel free to contact me at 860-424-3751.

Sincerely,

Dennis J. Greci, P.E.
Supervising Sanitary Engineer
Water Management Bureau

cc: Judy Wrenn, Sanitarian, Ledge Light Health District



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Exhibit 9

