



TOWN OF NORTH HAVEN
MEMORIAL TOWN HALL / 18 CHURCH STREET
NORTH HAVEN, CONN. 06473



REPLY TO: Public Works

(203) 239-5321

October 18, 1982

Mr. & Mrs. David R. Burke, Jr.
1956 Hartford Turnpike
North Haven, Connecticut 06473

Dear Mr. & Mrs. Burke:

For several months, the Town has been attempting to coordinate the solution to the drainage situation which affects your property. Specifically, I am referring to the water which drains to your property from the west from property owned by others.

In our attempt to coordinate the solution, the Town offered its services, on a one-time basis, in that we would clean the existing drainage ditch and extend the ditch in a southerly direction approximately 300-400 feet. It has been our position that the property line must be established prior to the Town's service on the ditch so that there would be no question as to its location and future responsibility for maintenance. This required the services of a land surveyor.

Agreement had been reached to engage a land surveyor who subsequently brought to the Town's attention several facts pertinent to this situation. Namely, there are no easements for the existing ditch or enclosed drainage system which drains to Hartford Turnpike and, the extension of the ditch will result in additional water entering the enclosed system. Consequently, a drainage study would have to be conducted to determine if the size of the pipe was adequate to contain the additional water and easements would have to be obtained for the ditch and enclosed system.

I discussed these findings with the First Selectman. Mr. Gawrych has been directly involved in this situation and had hoped that the Town, in an unofficial role, could assist in the resolution of the problem. Unfortunately what we had hoped to be a simple solution, agreeable to all parties, has become complicated with both present and future liability on the part of the Town if we were to provide the service of excavating the ditch.

As a result, the Town regretfully must inform you that the resolution of this situation must be between the affected property owners or through civil process. The assumption of the drainage liability inherent in this situation cannot become a Town responsibility as the problem exists on private properties.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard F. Gillen", with a long horizontal flourish extending to the right.

Richard F. Gillen
Director of Public Works

RFG/gj

cc: Walter J. Gawrych, First Selectman

**1956 Hartford Tpke.
North Haven, CT 06473
203-239-5001**

To: Planning and Zoning Commission
From: David and Kathryn Burke
Date: 10/23/2020
Re: 318 Kings Highway Development Application

We are writing to you currently to make you aware of the severe water problems on our property on Hartford Turnpike resulting from runoff from the Kings Highway parcel. The problems are twofold:

The first issue is the ongoing runoff from Kings Highway onto our property and others on Hartford Turnpike. Parts of our front lawn are always swampy such that a rider mower sunk down so far that it needed to be towed and just a week ago a mower caused a large mud scar. We do have a handmade ditch across the back of our property, but it does little when heavy rains occur. Bear in mind these events occur despite the Kings Highway property being heavily grown in with trees, plants, etc.

The second issue is much more dire. If the property were to be cleared of all the growth, the runoff can be disastrous. This occurred twice in 1982 when the land was being farmed and was simply an empty field. During the winter of that year, water ran off into our yard and others, flooding basements; a freeze occurred, and our backyard became an ice rink---we did skate on it!! In June of 1982 there was once again a flood that brought mud, water, and topsoil onto our yard to a depth of 5-6 inches.

The town in October of 1982 offered to build a drainage ditch behind several of our properties but found legal issues such that they withdrew the offer. I have attached the appropriate letter.

It is our hope and expectation that you will mandate some type of mitigations for the builder to follow that will protect us from the scenarios above. It is especially important that whatever protections (swale/ditch/berm) you specify be completed before the property is cleared.

Thanks for your consideration.