

September 10, 2017

Windham Town Council
Town of Windham
8 School Road
Windham, Maine 04062

Subject: Highland Lake Moratorium/Highland Views Development

To Whom It May Concern:

I am the president & founder of Terradyn Consultants, LLC and am the designer of the much discussed Highland Views Development. I also own lake front property on Highland Shore Road and have for the last three years. As a professional engineer, I have designed stormwater management and erosion & sedimentation control systems for hundreds of projects across southern, central & coastal Maine. I understand the importance of that task and take it very seriously. As a property owner, I have a personal interest in the well-being of Highland Lake and have taken great care in the design of the Highland Views project. I firmly believe that the recent algae blooms need to be studied carefully so that they may be understood & appropriate actions taken. I am not, however, in favor of the proposed moratorium because I believe it is largely based on fear and misunderstanding of the Highland Views project.

I think that everyone can agree that there are no regulations that can be put into place on new development that will fix the state of the lake. The existing problems have been caused by existing development. There's only one way to improve the lake's water quality and that is to remove existing sources of excess nutrients. I also believe that the regulations that limit proposed development within all lake watersheds need to be of a level that protect against the degradation of water quality in perpetuity. In my experience, Maine has some of the strictest stormwater quality management regulations in the country. The phosphorus regulations are among the most stringent standards in the state. I'm not saying that they are perfect, but they're pretty effective. They may deserve constant scrutiny & update when new information is available but their design criteria and accompanying sediment & erosion control measures were a critical driver in the improvement of Highland Lake's water quality that was experienced prior to the recent bloom.

I understand that this moratorium is not about any single proposed development project, but I think it's clear that the Highland Views project is one of the drivers behind this proposed moratorium. I believe that the nature of the Highland Views project and its impact to the lake's water quality has been misunderstood by many. I do not believe that this project is

part of the problems facing the lake. In fact, I believe that it represents part of the solution. Highland Views is a redevelopment of an old campground. The site contains the crumbling infrastructure of a once-popular campground complete with highly eroding roads, un-stabilized camp sites and a series of eroded man-made drainage ditches. It's fairly obvious to anyone that has been on the site recently that the property is a chronic contributor of phosphorus to the Lake. I believe that the cleanup & stabilization of this site and the subsequent construction of a stormwater management system that features roof drain filter strips, restrictions on clearing areas & lawn fertilization methods, properly sized & located level spreader/forested buffer combinations and an over-sized gravel wetland will result in a decrease in phosphorus that is exported off of the existing, un-stabilized campground site.

Highland Views has undergone substantive review by the Town of Windham Planning Board. The MDEP is in the final stages of review of a Stormwater Permit for the project and it is my understanding that they expect to officially issue the permit in the next week. Without the moratorium, this project would be under construction this fall. I don't know of any other projects within the watershed whose construction schedule would be impacted by the proposed 180 day moratorium.

If the basis of this moratorium is to find ways to improve the water quality of Highland Lake, then, if supported by the council, provisions should be made to allow for developments that can reduce the existing phosphorus load. I believe that development projects that can demonstrate a reduction to the existing phosphorus load should be encouraged and be exempt from the moratorium. We should not wait 6, 12 or even 18 months before we act. If this is truly about finding ways to improve the water quality of Highland Lake, then we shouldn't be standing in the way of projects that can provide that very thing. I believe that either the Windham Town Engineer or the engineers at the Cumberland County Soil & Water Conservation District could review such projects and verify that a reduction in phosphorus export can be achieved using the existing MDEP methodology.

In closing, I urge the Council to vote against the moratorium because I believe it unfairly targets the owners of the Highland Views project. If the board is inclined to support the moratorium, then I hope it would see fit to allow a modification to the language that would exempt projects that can demonstrate a reduction in phosphorus export levels.

Sincerely,
Terradyn Consultants, LLC

A handwritten signature in black ink, appearing to read 'J. Amos', with a stylized, flowing script.

Jeffrey D. Amos, P.E.