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TOWN OF WESTPORT  
CONSERVATION DEPARTMENT

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September 24, 2021

Eileen Lavigne Flug  
Assistant Town Attorney  
Town of Westport  
110 Myrtle Avenue  
Westport, CT 06880

Re: Email to Jeffrey Northrop  
Launching of Boats from Sherwood Mill Pond Preserve

Dear Attorney Flug:

Please be advised that I represent Jeffrey Northrop with regard to the above, and this correspondence is to respond to the five questions you have set forth in your email to Mr. Northrop dated September 14, 2021.

1. The family aquaculture farm uses the Sherwood Mill Pond Preserve and means of boat ingress and egress from the Sherwood Mill Pond as an easement by necessity.

This is a very limited use to periodically haul out the boats for maintenance.

This use does not limit or impair in any fashion the ability of others to use the area for permitted kayaks, paddle boards or canoes.

Historically, there were two other means of obtaining boat ingress and egress into the Sherwood Mill Pond. One was an historic "driftway" located near the tidal entrance beside the garages there. The Town of Westport removed this driftway approximately twenty years ago.

Similarly, there was boat access to and from the Sherwood Mill Pond through the tidal inlet itself, also a lawful driftway. This was a boat sluice on the north side of the East gates. It too was fully blocked for boat passage by the Town of Westport when the tidal gate was replaced, also approximately twenty years ago.

To provide further general context, the Northrop family has been launching boats from the Preserve area since it began the process of damming up two streams in 1747. The family started the very first aquaculture operation in the United States in the Mill Pond in 1857. As a result, the Preserve launch-way has been in continuous use for nearly 275 years as a part of this farm.

2. The very limited use of the launchway is to periodically insert or remove boats in the pursuit of the aquaculture business, or to pick up or drop off personnel or others to the island in the Pond.

3. The plans are to continue these uses.

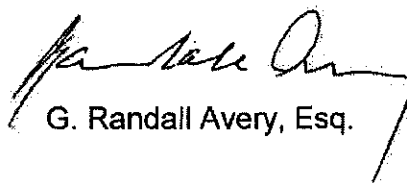
4. These uses are very limited and occur with substantial infrequency. There is quite literally no "burden" associated with this use, nor are these uses in any way obstructive of the use by others of the Preserve.

5. As was addressed in the response to Question 1, there presently are no other means of boat ingress or egress from the Sherwood Mill Pond.

I will be forwarding with this letter some photographs of the referenced blockages.

Thank you for your consideration.

Very truly yours,



G. Randall Avery, Esq.

Cc: Jeffrey Northrop