

# Judge Tosses Turtle Concerns, Clears Way for Stratford Housing Project

— Daniel Tepfer, 6.23.2025



BRIDGEPORT — The meanderings of the Eastern box turtle will not deter the construction of a 129-apartment building and community center on the Stratford-Trumbull line, a judge ruled Friday.

In a 16-page decision, state Superior Court Judge Dale Radcliffe, overturned a ruling by the Stratford Inland Wetlands and Watercourses Commission, finding that no evidence had been presented to support the claims of potential harm to the turtle or any other environmental concerns.

“The commission made no explicit finding of an adverse impact on wetlands or watercourses prior to ordering a public hearing, and a finding of adverse impact is not

supported by substantial evidence in the record,” the judge ruled, allowing the project by Mountain Development Corp. to go forward.

“We thank the court for its thoughtful review and decision in this matter. We agree that there’s no evidence this project will have an adverse impact on the wetlands. We’d also like to thank the commission because they spent a considerable amount of time reviewing this application. We’re excited to be able to move forward,” Mountain Development’s lawyer, Christopher Russo, said.

Patricia Sullivan, the lawyer for the wetlands commission, declined to comment on the judge’s ruling.

According to court documents, Mountain Development submitted an application in February 2022 to the commission to construct a four-story residential building consisting of 129 apartments and a community building for a total of 112,500 square feet on 26 acres on Hawley Lane.

The application included plans to deal with the possible presence of the Eastern box turtle on the site in accordance with state Department of Energy and Environmental Protection protocols.

The application drew opposition from neighbors and concerned Stratford residents during the public hearing. Most of the opposition centered upon groundwater runoff, ongoing flooding problems, wildlife habitat, and the removal of trees and vegetation.

At its Aug. 17, 2022, meeting, the commission voted 6-1 to deny the request for a permit to the developer.

The commission claimed in arguments before the judge that the proposed development would have an adverse impact upon on-site and off-site wetlands and watercourses. It claimed that the topography of the property, coupled with the need for additional fill to be brought to the property, redistribution of rock and cut materials, along with blasting, will impact wetlands and watercourses. It is also claimed that an endangered species, the Eastern box turtle, will be endangered as a result of construction.

“A review of the record demonstrates that the 10-acre wetland at 99 Hawley Lane will not be physically impacted by the proposed development. No filling of the wetland is proposed, and the existing hydrology of the wetland will not be altered,” the judge stated in his decision.

However, the judge added, the developer agreed to safeguard any Eastern box turtles that may be present.

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