

From:

To:

Subject:

KOMOKA DRAINAGE WORKS UNION AVE BRANCH COURT OF REVISION

Date:

Monday, August 30, 2021 12:18:49 PM

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Hello Everyone

I am sending this on behalf of Lenora Fournie

This document is being submitted to appeal the assessment on my property and Campbell Hillview Farm Corporation. The properties have been assessed an amount that is too high.

I ask that each member of this panel read documentation dated November 8, 2006, and February 12, 2007, submitted to the Township of Middlesex Centre. Please read correspondence received from Township of Middlesex Centre dated November 10, 2006 from Jim Reeve, Drainage Superintendent.

Please do not say this is irrelevant. It is. If these lots had not been approved this issue would never have occurred. I have delivered

the above correspondence to MXC in case you cannot find it on file as it is very relevant to this matter. The correspondence from Township of MXC states, "Your comments have been considered and extensive engineering studies have been conducted to ensure that these lots when developed will not become flooded when storm events occur." Therefore, our assessments should be zero.

MXC will state that this was in 2006, 15 years ago. If extensive engineering indicated these lots would not flood, why is the original developer not being assessed the full amount? The developer, engineer for the developer, MXC engineer and the MXC drainage superintendent for MXC and Middlesex County should all be assessed for this issue not the Drainage Act.

This issue is a developer urban matter and should never have been brought under the drainage act. All upstream landowners should be assessed zero and MXC should pick up all

assessments of upstream landowners, as this assessment has no benefit to our properties, but is a benefit to downstream landowners. MXC and/or County approved this and should be held accountable. Lots that we stated should never have been built on. Then, the developer and/or MXC and/or Middlesex County should be accountable and assessed. These lots should have been left as a green space for a park, playground or pollinator field. The land had not been cultivated in forty years but left as hay/grass field to prevent till and gully erosion.

MXC and/or County must have approved the authorization of building of lots. This drainage issue would not have occurred if the land had been left as a greenspace. This would have eliminated all the time and costs associated with this issue. The developer, MXC and/or County engineering department, drainage superintendent, municipal planning department should be accountable and assessed expenses for this fiasco.

In my opinion, the assessment of the roads is too low. Roads are impermeable surfaces, so they greatly contribute to drainage issues. If I blocked 4 of the culverts draining MXC and/or County roads (Melrose and Komoka) the flow of water on our properties would be greatly reduced. Mind you the roads would probably wash out as this is all upstream runoff coming through the culverts onto our properties. Since 2006 MXC and/or County have contributed more water to these culverts.

- 1) A new culvert was installed north of Melrose at Komoka Road. Water flows down Melrose through the culvert onto our farm affecting the municipal drain.
- 2) Outlets were placed on Komoka Road to divert water off road ending up on our farm.
- 3) A new water line was placed on the north side of Melrose.
- 4) Bell installed fibre optic cable on south side of Melrose and east side of Komoka Road
- 5) Telus installed another fibre optic cable on

the east side of Komoka Road

6) Melrose was ditched

Items 4 and 5 did affect the lay of the land, and, therefore, drainage. I know this as our fences and fence posts were affected.

Councillor Aerts walked our farm in March and is aware of the above issues.

We have planted over 6000 trees. We have wetlands. We have hay and pasture fields. All these help to prevent erosion from all the road issues on our farm. No, I feel the roads department should easily pick up my personal property and the farm property assessments.

Can I assume all of the above road issues were given thought when Mr. Bunke assessed roads at a factor of 2?

On a personal note, my life, my family and our properties have been affected and we have already paid a very high price for the approval of building lots that caused this drainage issue.

The stress, noise, surveyors unannounced on

property (yes, I know they have the right to enter property) but to cause my cattle and horses to stampede is unacceptable. The constant safety beep of machinery has affected the wellbeing of our livestock. Last year we lost one of our horses after people were on the CPR possibly with heart failure.

Councillor Aerts visited our farm the day after surveyors came on our property and was told I wanted to be left alone and have nothing to do with MXC. Two years later, I am being persecuted again.

Our farm and properties are not the "dumping farm" for the development of Komoka. In my opinion, as taxpayers for 97 years, we have no rights but developers are given all rights. How far can MXC bow to them? This drainage issue should have been put right back on the developer. Again, we and our livestock will have all the above stress and noise to rectify a problem that should never have occurred.

I am not an engineer, drainage superintendent, road superintendent, municipal planner, developer, or public works person, but I do have principles, honesty and integrity. But, my feeling from MXC is that I fell off a turnip truck. Water in my world will always run downhill, not up.

Since MXC and/or County approved this complete mess, a bylaw should be prepared to remove upstream landowners (agricultural and food) from this urban drainage and it should be placed under storm water management.

As a panel for the Court of Revision, if you can honestly say we should be assessed, I hope each of you are faced with all of the above stresses, noise and health issues that I have endured.

Thank you for your consideration and time.

Lenora Fournie