

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

June 10, 2022

NOTICE OF NON-COMPLIANCE
43 Shawandassee Road, Waterford

To: Charles & Alison Madigan
43 Shawandassee Road
Waterford, CT 06385

Re: Violation of Conservation Permit #C 15-08
Clearing & Mowing in Designated Wetland Non-Encroachment Area

Charles & Alison Madigan,

This office has observed that cutting and clearing of vegetation has been conducted in the designated wetland non-encroachment area east of your property located at 43 Shawandassee Road, Waterford CT. The non-encroachment area boundary is located 5 feet off the rear property line and was marked with 4 x 4 wooden posts to identify the boundary. This was reviewed at the time of your request for a Certificate of Occupancy for the residence.

According to the conditions and restrictions of inland wetland permit #C 15-08, no activity is permitted in the non-encroachment area, including clearing, grading, filling and removal of vegetation, without specific authorization from the Waterford Conservation Commission. No authorization was granted to clear and mow into the designated non-encroachment area. The alteration of this area is not in compliance with the subdivision approval and permit #C 15-08.

By this letter, you are requested to:

1. Cease vegetation cutting and lawn establishment in the non-encroachment area. Planting and restoration of this area to a natural vegetative buffer will be required for the area impacted by unauthorized clearing activity.
2. Contact the Waterford Planning & Development office within 5 days of receipt of this notice to schedule a site review and discuss required site restoration. Please contact me at 860444-5813 or email at mfitzgerald@waterfordct.org.

This notice is issued in accordance with Section 14 of the Town of Waterford Inland Wetlands and Watercourses Regulations. Failure to comply with the terms of this letter may result in further enforcement action by the Waterford Conservation Commission, including but not limited to the issuance of a cease and desist order or referral to Town counsel for legal action. Your cooperation in resolving this matter is appreciated.

Respectfully,


Maureen Fitzgerald, Environmental Planner

attachments: Photographs of clearing dated June 8, 2022

cc: Waterford Conservation Commission ✓

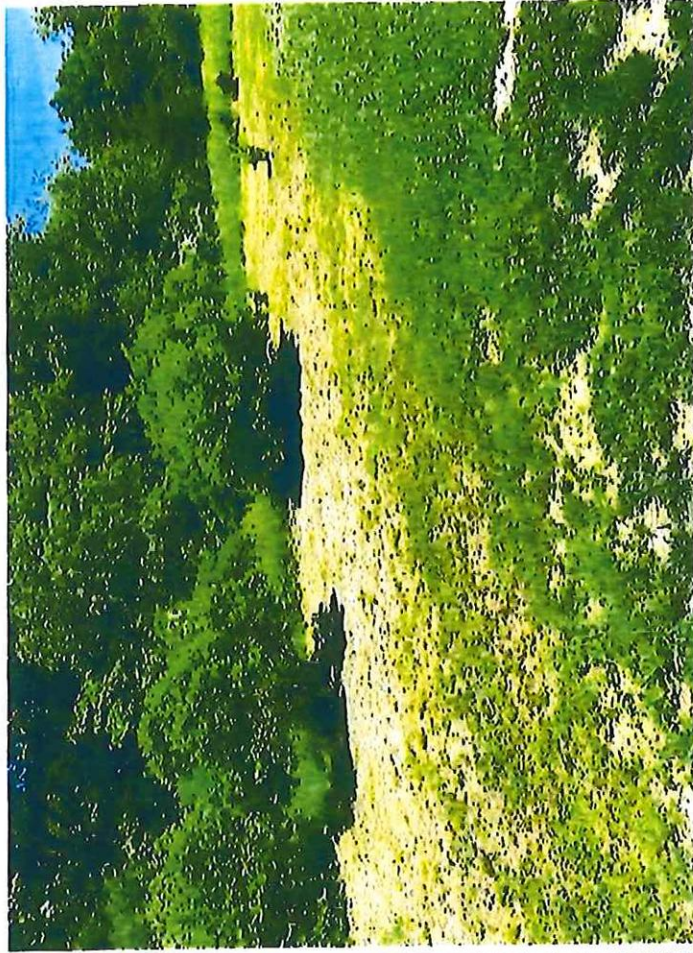
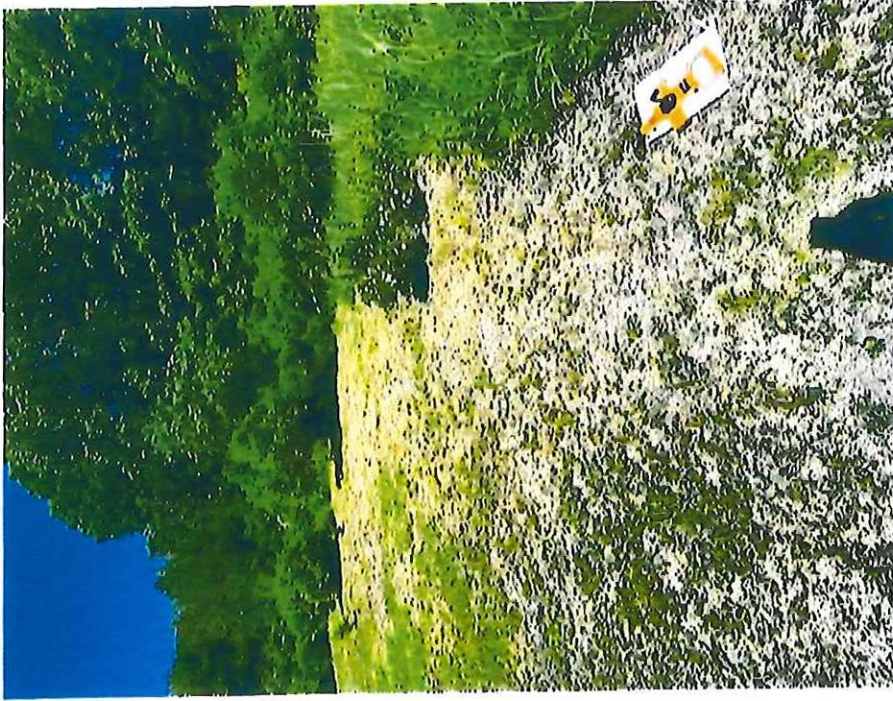


Observed clearing and mowing of non-encroachment area to rear of #43 Shawandassee Rd.
Arrow identifies boundary post installed by owner for Certificate of Occupancy purposes.

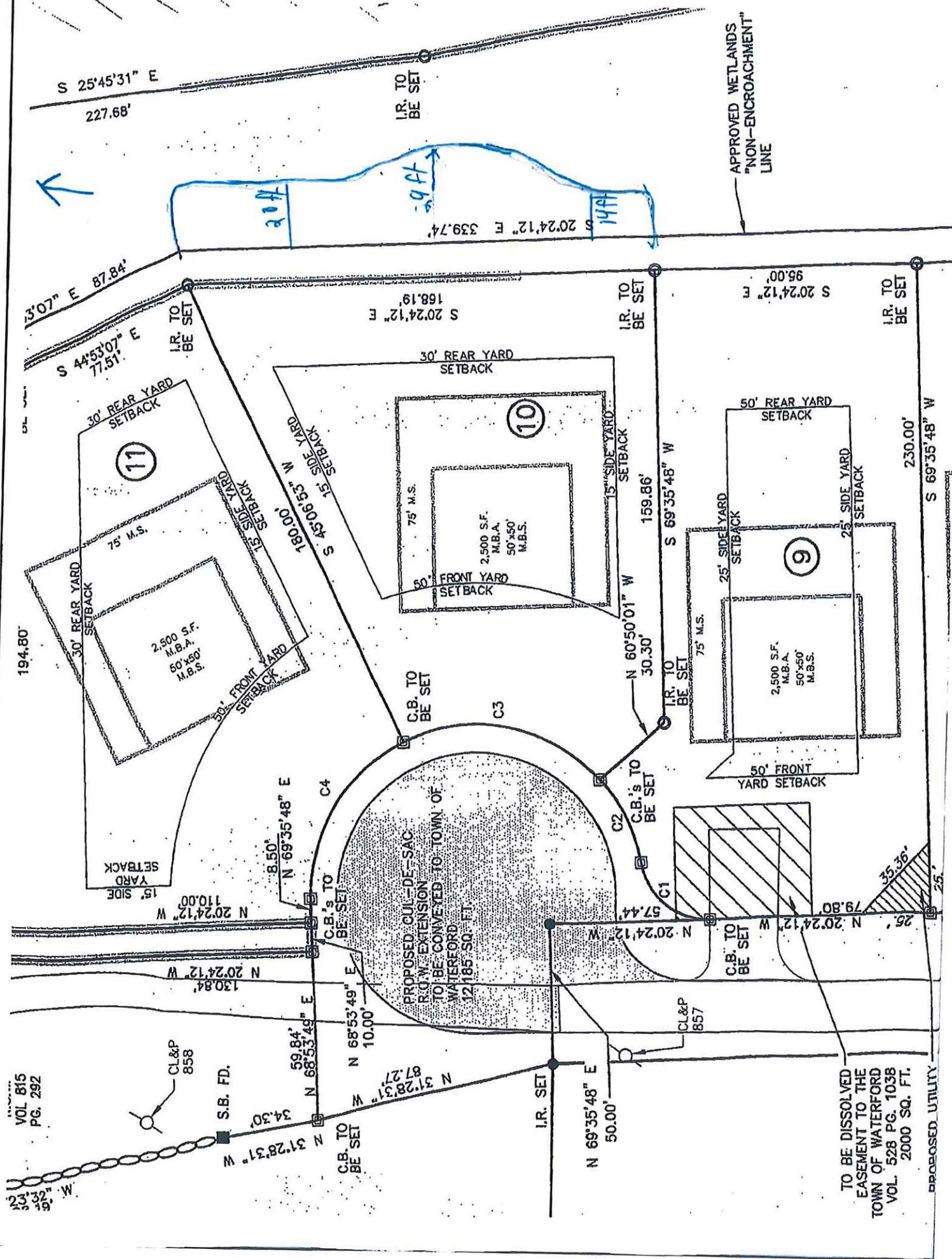


Approximated boundary of wetland non-encroachment area at rear of #43 Shawandassee Road.
6 8 022

STAFF MEASUREMENTS OF
ENCHROACHMENT
AREA
06-14-22



Non-encroachment Area cut behind rear property line of #43 Shawandasse Road. Views north and south.
June 14, 2022



**Shawandasse Rd North – Subdivision Plan
Approximate Area of clearing in
Wetland Non-Encroachment Area
Behind #43 Shawandasse**

ZONING DATA TABLE				
WATERMONG DISTRICT R-40				
ITEM	PREVAILING	LAST AREA		
1. DISTRICT	WATERMONG	WATERMONG		
2. ZONING	R-40	R-40		
3. LOT AREA	10,000	10,000		
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