

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



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

Date: August 1, 2022

To: Joao Ferreira, Owner
East Lyme Tree Services, LLC
67 Upper Pattagansett Road
East Lyme, CT 06333

Re: **Violation Notice – Unauthorized fill, grading & deposition**
1122, 114 Hartford Turnpike
Required Restoration Plan Revisions
Approved With Conditions

Mr. Ferreira,

The Waterford Conservation Commission, at their July 28, 2022 meeting, reviewed the restoration plan for the areas of unauthorized clearing and deposition at your property on 1122, 1124 Hartford Turnpike, Waterford, CT. The restoration plan was submitted by CLA Engineers, Inc. on July 26, 2022.

The Conservation Commission approves the restoration plan with the following modifications and conditions. Please modify the restoration plan to reflect these requirements and submit to the Waterford Conservation Commission within 14 days of receipt of this letter. Required site restoration work shall be completed by October 30, 2022.

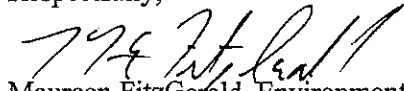
Modifications & Conditions of Restoration Plan Approval

1. Mark the 50 ft. wetland buffer non-encroachment area offset with boulders a minimum ½ cubic yard in volume, spaced 30 feet apart. Wetland non-encroachment boundary markers are to be interspersed with the boulder boundary line on metal stakes/posts and on existing trees where available for this marking. The 50 ft. buffer area is to be identified as a wetland non-encroachment area. No clearing, fill, grading or other alteration of this 50 ft. buffer area is authorized. Boundary markers will be provided by the Commission and inspected by the Commission's agent upon completion of installation.
2. The shrub restoration plantings are to be a minim 3 – 5 ft. ht. at installation, not one gallon containers.
3. Restoration planting of the southwesterly area of unauthorized clearing and wood chip fill shall be increased to 20 native shrub plantings and the diversity of native plants increased. Inclusion of existing natives such as sweet pepperbush and spicebush is requested.
4. Plan note #13 shall be revised to include submittal of annual monitoring reports to the Waterford Conservation Commission by October 30, 2022 and October 30, 2023 identifying success of the restoration plantings, plant survival and replacement requirements, and seed mixture establishment. Replacement of failed or diseased plantings is required.

5. The restoration plantings shall be bonded for a period of two (2) years upon completion of installation for an amount equal to 50% of the plant and seed mixture costs and the 2 yearly inspections reports. The bond amount estimate shall be prepared by the project engineer and submitted to the Commission's agent for review and acceptance. The bond is required to be accepted by the Town of Waterford prior to the start of planting and shall be released upon request, in whole or in part, only by approval of the Waterford Conservation Commission following receipt of required monitoring reports documenting success of the restoration areas.
6. A revised restoration plan incorporating the above conditions of approval shall be submitted to the Waterford Conservation Commission within 14 days of receipt of this letter.
7. The restoration work and plantings shall be completed by October 30, 2022.

Failure to comply with the terms of this letter may result in further enforcement action by the Conservation Commission, including but not limited to the issuance of a cease and desist order or transfer of the matter to the Town Attorney for legal action. Please direct questions on this matter to the Planning & Development Office, attention Maureen FitzGerald, Environmental Planner (860 444 5813). Your continued cooperation is appreciated.

Respectfully,



Maureen FitzGerald, Environmental Planner

cc: Waterford Conservation Commission
CLA Engineers, LLC