

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



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

NOTICE OF VIOLATION

Inland Wetlands Permit #C 22-18
93 Shore Road, Waterford, CT

Date: June 16, 2023

To: Jose Espinosa
93 Shore Road
Waterford, CT 06385

**Re: Unauthorized Fill Within & Adjacent to
Inland Wetlands & Watercourses
Violation of Permit #C 22-18**

Mr. Espinosa,

On June 16, 2023, I conducted an inspection at your property located at 93 Shore Road, Waterford to review compliance with inland wetland permit #C 22-18. During that inspection it was determined that you have conducted fill activity in wetlands and adjacent designated non-encroachment areas located beyond the limits of authorized permitted fill. This activity does not comply with permit #C 22-18.

Specifically:

- a) Fill was measured to extend 28 feet east from the southeast corner of the house foundation and 26 feet south of the southeast corner of the house foundation. The authorized limit under permit #C 22-18 was 18 feet. This excess fill is located within inland wetland.
- b) Fill has been placed behind (east of) the house beyond the previously approved limits of activity. The plantings and non-encroachment area boundary markers have been removed. This fill extends into designated non-encroachment area and inland wetland and is not authorized.

This letter is a notification that you have conducted fill activity within and adjacent to inland wetland and watercourse areas on your property at 93 Shore Road in violation of Inland Wetland Permit #C 22-18 and Section 6 of the Waterford Inland Wetlands & Watercourses Regulations.

By this letter, you are requested to:

1. Within 7 days of your receipt of this notice, please contact the Waterford Planning & Development office to discuss the required restoration measures to remove the unauthorized fill and restore the affected wetland.
2. Within 30 days of receipt of this notice, remove all unauthorized fill material placed beyond the authorized limits and restore all disturbed wetland vegetation and wetland substrate to their pre-work conditions. Upon removal of the fill, please contact this office to schedule a follow-up inspection.

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06/16/023

3. Upon completion of the fill removal and restoration of wetland surface, the designated wetland non-encroachment boundary is required to be permanently marked on the property with fencing, plantings or other structural demarcation to delineate the approved limits of residential development in accordance with special condition #2 of Permit #C 22-18 (attached).

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. Questions should be directed to Maureen FitzGerald, Environmental Planner, 860 444-5813 or by email to mfitzgerald@waterfordct.org.

Respectfully,

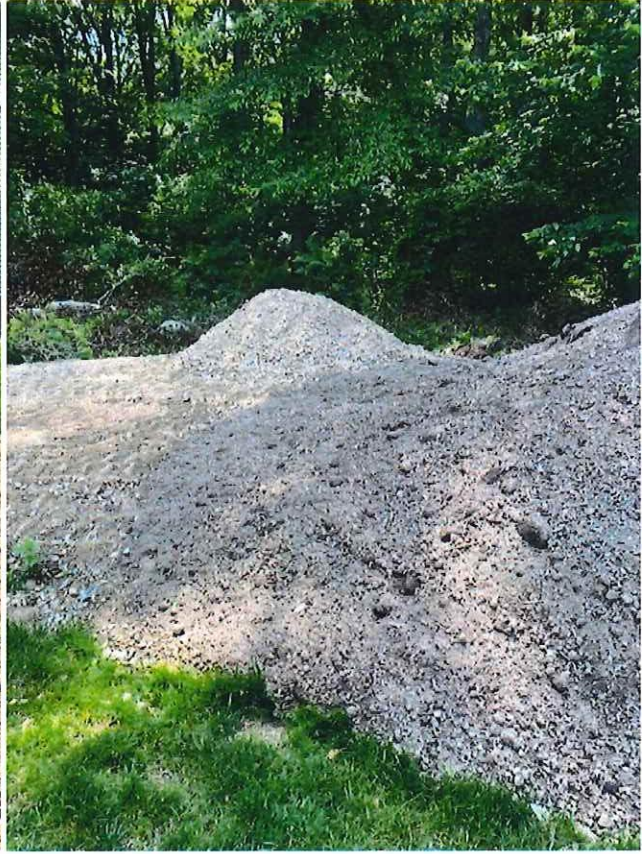


Maureen FitzGerald
Environmental Planner
Town of Waterford, CT

Certified Mail: #9171 9690 0935 0254 0867 10

cc: Waterford Conservation Commission
Mr. Jose Espinosa, (digital version)

attachments: Photographs of fill area dated June 16, 2023
Inland Wetland Permit #C 22-18



93 Shore Road, 6 16 2023

– Fill off south and southeast of house extending beyond authorized limits of permit C 22-18.

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WATERFORD, CT 06385-2886



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**Waterford Conservation Commission
Inland Wetlands & Watercourses Permit #C-22-18
93 Shore Road, Waterford, CT**

The Waterford Conservation Commission herein authorizes the applicant to conduct regulated activities in designated areas at 93 Shore Road, Waterford, CT which are subject to the jurisdiction authorized by the CT General Statutes Section 22a-36 through 22a-45 inclusive, as amended, and the Town of Waterford Inland Wetlands and Watercourses regulations.

This permit is a grant of approval, with conditions, in accordance with the Waterford Inland Wetlands and Watercourses regulations to conduct the following activities:

1. Modification of inland wetland permit #C 14-09 to relocate a portion of the southeastern wetland non-encroachment area boundary line to a distance of 18 feet off the southeast corner of the primary residence and to construct a low retaining wall at the southeast non-encroachment area boundary to support fill for residential lawn area.
2. Removal of 2 trees from the non-encroachment area south of the residence.

These regulated activities are associated with modification to a site plan approved by Inland Wetland Permit #C 14-09 issued for construction of a residential dwelling served by municipal sewer and water on land at 93 Shore Road, Waterford, Connecticut. The modification to the wetland non-encroachment boundary is depicted on the attached copy of the site plan permitted under inland wetland permit #C 14-09 for 93 Shore Road.

SPECIAL CONDITIONS:

- 1) A wetland non-encroachment limit is established at the authorized limits of clearing and disturbance. No activity other than those authorized herein, including but not limited to fill, grading, clearing or removal of vegetation, shall be conducted beyond the limit of clearing and non-encroachment line without specific approval from the Conservation Commission.
- 2) The non-encroachment boundary shall be permanently demarcated on the property with fencing, plantings or other structural demarcation to delineate the approved limits of residential development.
- 3) The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.
- 4) Disturbed soil areas shall be stabilized with vegetation or seeded. Appropriate erosion control measures shall be installed where required.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed facility, the Waterford Conservation Commission reserves the right to reconsider development of this site and may require design modifications to minimize the impact to regulated resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

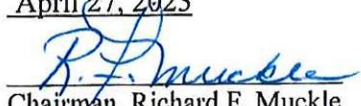
This permit is issued for a period of 5 years, subject to extension in accordance with CT State Statutes for a period not to exceed 10 years. If the regulated activity is not completed within this time frame, the permit may be held to be invalid by the Commission and the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

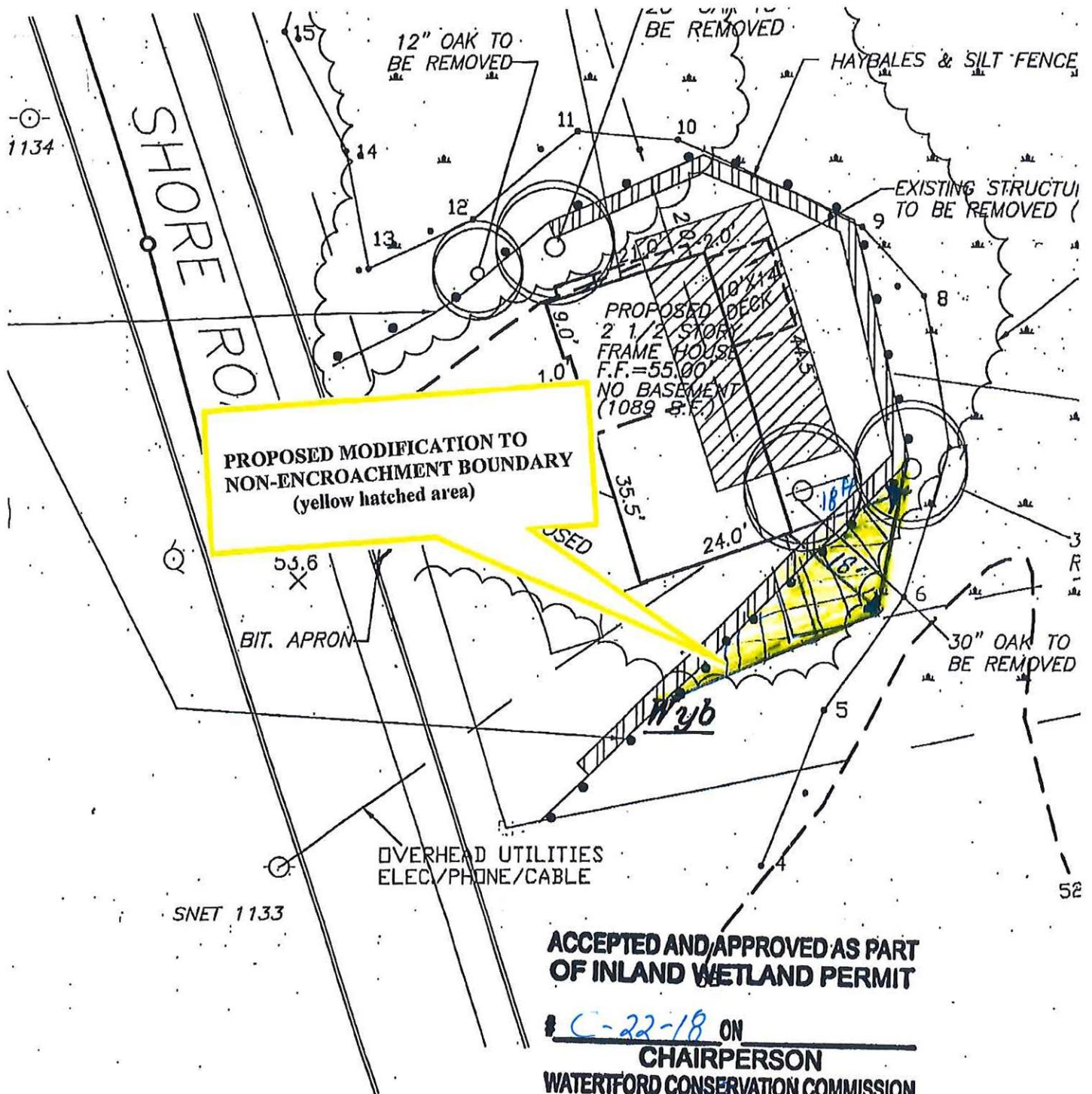
The Conservation Commission renders this Summary Ruling in accordance with the Waterford Inland Wetlands and Watercourses Regulations based on the following considerations:

- A. The activity does not involve adverse impacts to inland wetland and watercourse resources.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or, if the intended use of the general site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Environmental Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Dated: April 27, 2023

Issued By: 
Chairman, Richard F. Muckle
Waterford Conservation Commission



ACCEPTED AND APPROVED AS PART
OF INLAND WETLAND PERMIT

C-22-18 ON
CHAIRPERSON
WATERTFORD CONSERVATION COMMISSION

R. J. Munkie

PROPOSED SITE P
LOT 1

OWNER/APPLICANT: GEORGE KA

93 SHORE ROAD

WAI

REVISION

HOUSE

HOUSE W/ NO GARAGE

TREES/NOTES 8-9

NOTES 11-15

NOTES

ES & HOUSE FOOT PRINT