FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886

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

November 12, 2020

NOTICE OF VIOLATION
Inland Wetland Permit #C 20-14

Mr. David C. Mortimer
59 Twin Lakes Road
Waterford, CT 06385

Re: Unauthorized Culvert Installation & Fill Placement Within Inland Wetlands & Watercourse 14B Shore Road, Waterford, CT

Mr. Mortimer:

You are herein notified that you have conducted activities at your property located at 14B Shore Road, Waterford, CT in violation of the Waterford Inland Wetlands & Watercourses regulations and in violation of Inland Wetland Permit #C 20-14. On November 5, 2020, the Waterford Conservation Commission was informed by the site engineer that the driveway culvert for the new residence at 14B Shore Road, as installed, is not in accordance with the approved site plan and resulted in increased wetland fill over that permitted by Inland Wetland Permit #C 20-14.

Unauthorized Activities Conducted:

Installation of $^{+/-}$16 feet of 24 inch RCP culvert pipe and backfill within inland wetlands and watercourse in exceedance of the approved culvert crossing design.

Fill of inland wetlands and watercourses inconsistent with the regulated activity authorized under inland wetland permit #C 20-14.

Section 6 of the Waterford Inland Wetlands & Watercourses Regulations requires that a permit or authorization must be obtained from the Waterford Conservation Commission prior to conducting activities in inland wetlands and watercourses. A permit has not been issued for the work completed at the culvert crossing.

By this letter, you are instructed to cease further activity within inland wetlands and watercourses at the property and complete the following corrective actions as authorized under Section 14.3.c of the Waterford inland Wetlands & Watercourses Regulations.

CORRECTIVE ACTIONS REQUIRED:

1. Appear before the Conservation Commission at its next scheduled meeting of November 19, 2020 (to be conducted remotely via Zoom) to discuss the unauthorized activity and the proposed measures to correct the unauthorized wetland impact.

2. Within 21 days of issuance of this notice, submit an as-built plan prepared by a CT licensed professional engineer identifying the extent of work conducted in the wetland at the culvert crossing; including the area of wetland impacted by the culvert pipe, driveway fill, and rip-rap installed, and indicating the as-built area, extent, grades and installed plantings of the wetland mitigation area completed to date on the property per inland wetland permit #C20-14.

3. Within 21 days of issuance of this notice, submit a wetland impact assessment and mitigation plan prepared by a wetland scientist evaluating the wetland area affected and the wetland functions and values affected by the unauthorized activity. The report shall include a proposal for additional on-site wetland mitigation at a 2:1 ratio to mitigate the unauthorized wetland impact area and a 3 year monitoring plan for plant survival and success of the mitigation area.

4. Within 14 days of receipt of Conservation Commission approval of the proposed wetland mitigation plan, submit 2 copies of the final approved mitigation plan prepared by a CT licensed professional engineer to the Conservation Commission showing the mitigation area, grades, elevations, substrate, planting species, numbers, and sizes, and soil stabilization measures.

   Note that the 2020 growing season has elapsed and the Commission may require a performance bond to ensure the wetland mitigation is completed and monitored for success.

Failure to comply with these corrective actions may result in further enforcement action by the Waterford Conservation Commission.

Your cooperation in addressing this matter is appreciated. Contact me with any questions regarding this matter at 860 444-5813 or mfitzgerald@waterfordct.org.

Sincerely,

Maureen FitzGerald
Environmental Planner
Town of Waterford, CT

Sent Certified Mail: #9171 9690 0935 0184 4155 43

cc: Waterford Conservation Commission
Jill Pisechko, Zoning Official
N. Thibeault, Killingly Engineering Associates