



**WESTPORT**

**WESTPORT, CONNECTICUT  
CONSERVATION DEPARTMENT**

TOWN HALL - 110 MYRTLE AVENUE  
WESTPORT, CONNECTICUT 06880  
(203) 341-1170 • FAX (203) 341-1088

April 3, 2024

Stephen and Frances Rowland  
11 Devon Road  
Westport, CT 06880

**CEASE AND CORRECT ORDER  
Re: 11 Devon Road**

Dear Mr. and Mrs. Rowland:

On January 25, 2024, the Conservation Department spoke with your representative about regulated activities that had occurred on your property. You were then sent a followup email going over what was discussed. You contracted LandTech, which submitted an updated survey and wetland delineation on March 26, 2024. Based on this survey, regulated activities that occurred without permits include constructing stone walls, walkways, fences, a sports court, and multiple outbuildings, and vegetation removal and grading changes in the wetland and wetland upland review area setbacks. This is in violation of sections 4.2.1 (a), (b), (c), (d), (e), and (f), 7.1, and 7.3 (f), (g), and (h) of The Regulations for the Protection and Preservation of Wetlands and Watercourses of the Town of Westport and Section 30-124 of the Code of Ordinances of the Town of Westport. A regulated activity is defined as:

*3.18 "Regulated Activity" means any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands and watercourses, but shall not include the specified activities in Section 4.0 of these Regulations. Furthermore:*

*1. Any clearing, grubbing, filling, grading, paving, excavating, constructing, polluting, depositing or removing of material, or discharging of stormwater on land within the review area setback as set forth in Section 7.3 is a regulated activity.*

Based on the extent of the violations, the Conservation Department has determined that the best course of action is to issue a Cease and Correct Order.

As a result of this Order, you are required to halt all regulated activities in the wetlands on your property. No heavy machinery or vehicles should be allowed within the area unless under the direction of Conservation Staff.

The issuance of the Cease and Correct Order will necessitate the need for scheduling a Show Cause Hearing before the Conservation Commission within 10 days of the issuance of the Order. After talking with your consultants, the date for the hearing is set for April 10, 2024 following the Conservation Commission's regularly scheduled public hearing, which starts at 7 pm in Town Hall.

The Show Cause Hearing is intended for you to present your case before the Commission and give reason for your actions. You are welcome to bring along any professionals you

would like to help facilitate the next steps in resolving the violation that will hopefully meet both the goal of wetland protection and yet address the drainage concerns on your property.

Please contact our office if you or your representatives (e.g., lawyer, drainage specialist, and/or wetland scientist) have questions or need clarification regarding this violation.

The Cease and Correct Order will remain on the land records until the matter is fully resolved. Please be advised that the issuance of this Order is not intended to preclude the pursuit of any other remedy available under the Regulations.

Please give this matter your immediate attention.

Sincerely,



Nathan Hartshorne  
Conservation Compliance Officer

CC: Conservation Commission Chairman; Tom Carey  
Westport Department of Planning and Zoning  
Westport Department of Engineering  
Westport Building Department  
Aspetuck Health District  
Peter Romano, LandTech

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