



WESTPORT

**WESTPORT, CONNECTICUT
CONSERVATION DEPARTMENT**

TOWN HALL - 110 MYRTLE AVENUE

WESTPORT, CONNECTICUT 06880

(203) 341-1170 • FAX (203) 341-1088

March 27, 2023

Damon and Anna Ustin
3 Half Mile Common
Westport, CT 06880

Re: 3 Half Mile Common, Westport, CT 06880

To Mr. and Mrs. Ustin:

On February 27, 2023, the Conservation Department visited your house as the result of a citizen's complaint. Although no one was home, it was apparent that significant tree clearing and dumping occurred on your property within the wetlands and 20 foot nondisturbance buffer. This is in violation of the Inland Wetland and Watercourse Regulations for the Town of Westport, Connecticut (a/k/a "The Regulations").

Based on this evidence, we have found you to be in violation of Sections 4.2.1 (a), (c), (d), (e), and (f), 7.1, and 7.3 (h) of The Regulations, Section 30-89 of the Waterway Protection Line Ordinance ("WPLO"), and Section 30-124 of the Code of Ordinances of the Town of Westport ("the Code") for conducting a regulated activity at the above address without a permit. A regulated activity is defined in Section 3.18 of the Regulations 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.

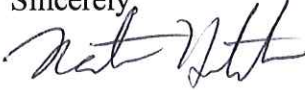
Later on February 27, 2023, you were issued a Notice of Violation, but no response has been received. On March 24, 2023, you were sent an email to au2252@columbia.edu, which also has not been answered. This letter is being sent to both your listed home at 3 Half Mile Common, as well as the address you claimed when you purchased the home, at 15 E. 36th Street, New York, New York. This letter is being sent in both certified mail and regular mail to both addresses.

You are required to immediately halt all regulated activities within the wetlands and 20 foot nondisturbance buffer. This includes any tree removal, stump grinding, regrading, dumping of woodchips, or driving heavy machinery. Please contact the Conservation Department immediately at 203-341-1085. The Conservation Department will also require that you restore the disturbed areas with native plantings. All dumped material shall be removed and a planting plan shall be submitted within one week of receipt of this

notice, roughly on or before April 7, 2023. The plan shall be implemented by May 1, 2023. Please contact our office for any questions. We can meet you at Town Hall or on your property.

Please be advised that the issuance of this notice is not intended to preclude the pursuit of any other remedy available under The Regulations, or otherwise available by law, specifically, the issuance of a fine and/or a notice to cease your activities and appear at a hearing to show cause why such notice should not remain in effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan Hartshorne". The signature is written in a cursive style with a large initial "N" and "H".

Nathan Hartshorne
Conservation Compliance Officer

CC: Conservation Commission Chairman; Thomas Carey

Certified Mail #7020 1810 0001 3370 9862