



WESTPORT

**WESTPORT, CONNECTICUT
CONSERVATION DEPARTMENT**

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

May 07, 2024

Kerry and Kathryn Szych
2 Quarter Mile Road
Westport, CT 06880

**CEASE AND CORRECT ORDER
Re: 2 Quarter Mile Road**

Dear Mr. and Mrs. Szych:

This letter is to inform you that since issuing the Notice of Violation on March 3, 2024, other issues were noted and the Conservation Department has determined that the those issues warrant a Cease and Correct Order. The Conservation Department determined that a large pipe and fill were installed in the area of a watercourse and wetlands at some time period between March 29, 2023 and September 22, 2023. Due to the stone walls, piping a water course, grading changes, and clearing vegetation on your property, you are in violation of Sections 4.2.1 1 (a), (b), (c), (d), (e), and (f), 7.1 and 7.3 (f) and (h) of The Regulations for the Protection and Preservation of Wetlands and Watercourses of the Town of Westport ("The Regulations"), Section 30-89 of the Waterway Protection Line Ordinance, 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.

As a result of this Order, you are required to halt all regulated activities in the wetlands or 20' upland review area on your property, including but not limited to adding fill, digging, installing pipes, or removing vegetation. 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. This may seem punitive but will be the most expeditious way of laying a path forward for resolving the violation. The date for the hearing is set for May 15, 2024, after the Regularly Scheduled Conservation Commission Public Hearing which starts at 7pm in Westport 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.

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,

A handwritten signature in black ink, appearing to read "Nathan Hartshorne", written over a horizontal line.

Nathan Hartshorne
Conservation Compliance Officer

CC: Conservation Commission Chairman; Josh Lewi
Westport Department of Planning and Zoning
Westport Department of Engineering

CERTIFIED MAIL #7020 1810 0001 5172 4656