

Timeline of Cease and Correct Order for 2 Quarter Mile Road

1980

- House built at 2 Quarter Mile Road

04/02/2013

- Property purchased by Mr. and Mrs. Szych.

04/15/13

- Colin Kelly inspected property for tree removal in setback and spoke with Mr. Szych on phone and gave approval for removal. Wrote that Department would regulate from top of bank until a soil scientist delineates. No woodchips in watercourse, flush cut stump, minimize disturbance.

04/19/13

- Colin Kelly met with Mrs. Szych onsite and discussed invasive removal, gave planting plan, and helped identify invasives.

04/24/2013

- New Homeowner mailing send to Mr. and Mrs. Szych.

02/02/2024

- Conservation Department observed recent tree removal.

03/12/2024

- First Notice of Violation issued and mailed to homeowner.

03/19/2024

- Conservation Department met with homeowners on site and observed new violations.

03/24/24

- Second Notice of Violation issued, which noted that this violation would become a Cease and Correct Order.

04/01/2024

- Dr. Steven Danzer wrote wetland delineation report.

04/22/2024

- Survey completed by Advanced Surveying Land Surveyors

New owner letter:



WESTPORT CONNECTICUT
CONSERVATION DEPARTMENT
110 MYRTLE AVENUE
WESTPORT, CT 06880
(203) 341-1170

April 24, 2013

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

Dear Town of Westport Resident,

Congratulations on the purchase of your home. If you are new to Westport, we would like to welcome you. As you are probably aware, there is either a wetland or watercourse on or very close to your property, or in an area known to potentially have wetlands. We would like to inform you of two of the regulations of the Town of Westport, which govern wetlands and watercourses. These include: the "Regulations for the Protection and Preservation of Wetlands and Watercourses of Westport, Connecticut" (or IWW Regulations) and the "Waterway Protection Line Ordinance" (or WPLO)

Westport's IWW Regulations establish upland review areas (or "setback" distances) from wetlands and watercourses for certain activities. Regardless of whether the proposed activity is within or outside of the setback, a permit is necessary. The level of review will be determined by the project's proximity to the wetland or watercourse. For example, if a property owner wishes to perform an activity within a setback, they must receive a permit for the work from the Conservation Commission, not the staff. Please note that the IWW Regulations establish a 20-foot "non-disturbance" review area buffer, which regulates activity such as **grading, vegetation removal, filling and other alteration** within 20 feet of any wetland or watercourse. When in doubt, call the Conservation Department.

The WPLO is a Town Code that is intended to protect all waterways within the Town of Westport from activities that would cause hazard to life and property and/or activities having an adverse impact on the natural resources and ecosystems of the waterway. The WPLO boundary is established 15-feet beyond either: the 25-year flood line (where present) or the wetland line, whichever is more extensive or 15-feet from the top of bank from an unnamed stream. Approvals from the Conservation Commission or Department are required depending on the proposed activity's proximity to the WPLO boundary.

In addition, on July 1, 2012, a new policy to determine the presence and delineation of a wetland or watercourse became effective. This policy only affects property owners when they wish to make improvements to their property. From a press release describing the new policy:

"The Conservation Commission is charged with protecting wetlands and watercourses within the Town of Westport, as per the "Regulations for the Protection and Preservation of Wetlands and Watercourses for the Town of Westport," and Connecticut General Statutes. Identifying the location of wetlands and watercourses as part of the review process for a regulated activity is an integral part of carrying out the responsibilities of the Commission. Requiring these boundary determinations up-front, and planning accordingly, can save the property owner a lot of headaches, compared to discovering in the middle of a project that a wetland or watercourse is present on the property.

In order to accurately delineate wetland and watercourse boundaries at a scale suitable for site planning and development review, they need to be flagged by a professional soil scientist and plotted onto a site plan or subdivision map by a surveyor. This process will ensure that the wetlands and watercourses are accurately delineated on a property scheduled for development and are therefore protected when land use changes are proposed.

The proposed policy contemplates that anyone wishing to carry out a large project such as a new house, large addition, pool, pool house, tennis court, detached garage, new septic system, large grading and drainage projects, and possibly driveway expansion or relocation, can expect that this new policy will apply to them. This will be regardless of whether the current 1983 Town map shows the presence of wetlands, or not.

Conversely, however, small projects may be exempt from the new policy if, after inspection by staff and/or review of available data, it is determined that the project will have no more than a minimal impact on any wetland."

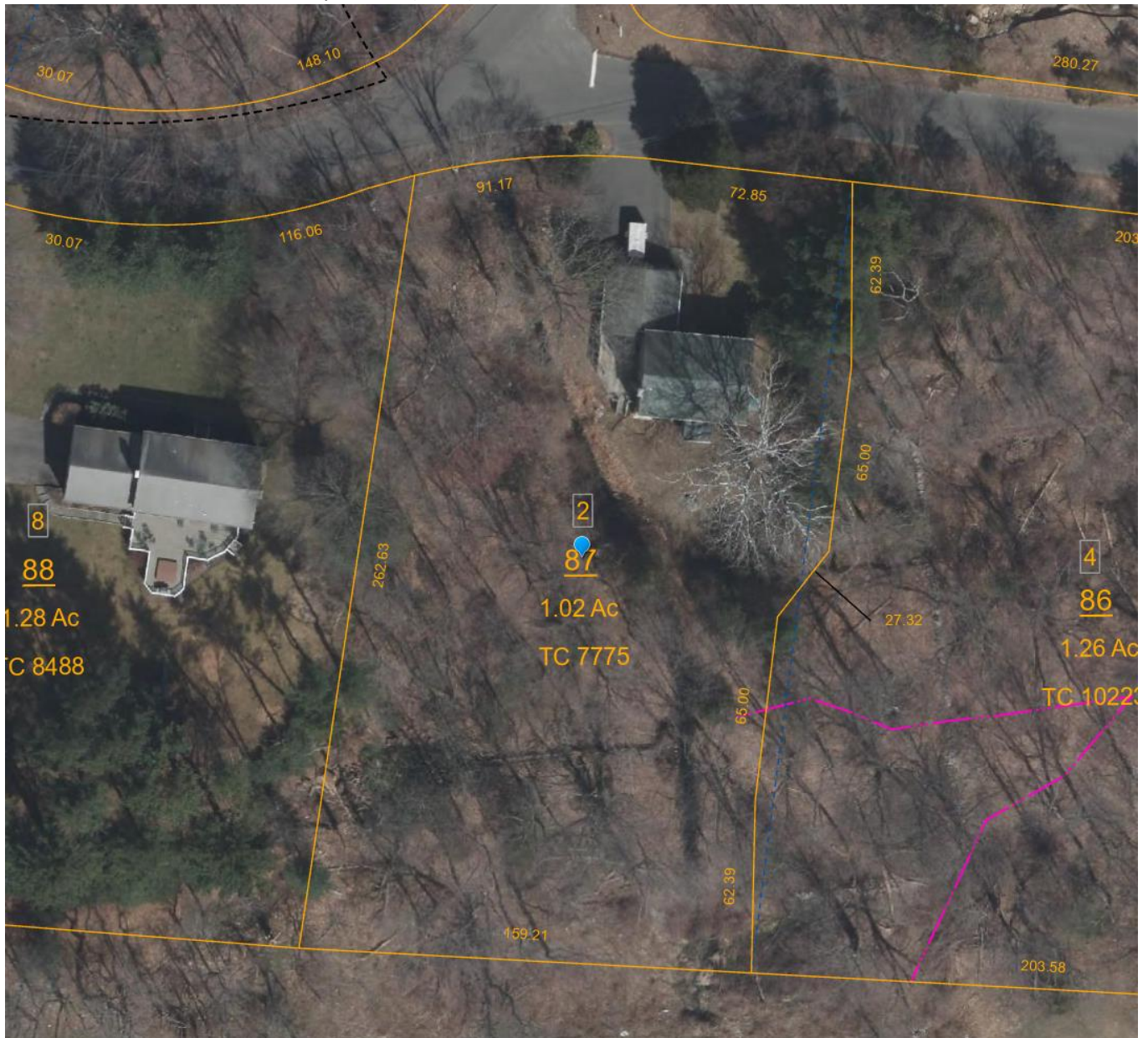
We strongly encourage you stop in the Conservation Department, Room 205, Westport Town Hall if you have not yet determined if wetlands are present and/or where the wetland line, and/or Waterway Protection Line falls on your property. The office is open from Monday-Friday, 8:30am-4:30pm. Attached to this letter is a brief description of the Waterway Protection Line Ordinance and the setbacks from the wetland and watercourses as defined by the IWW Regulations.

Thank you and best wishes with your new home.

Sincerely,

Alicia Mozian
Conservation Director

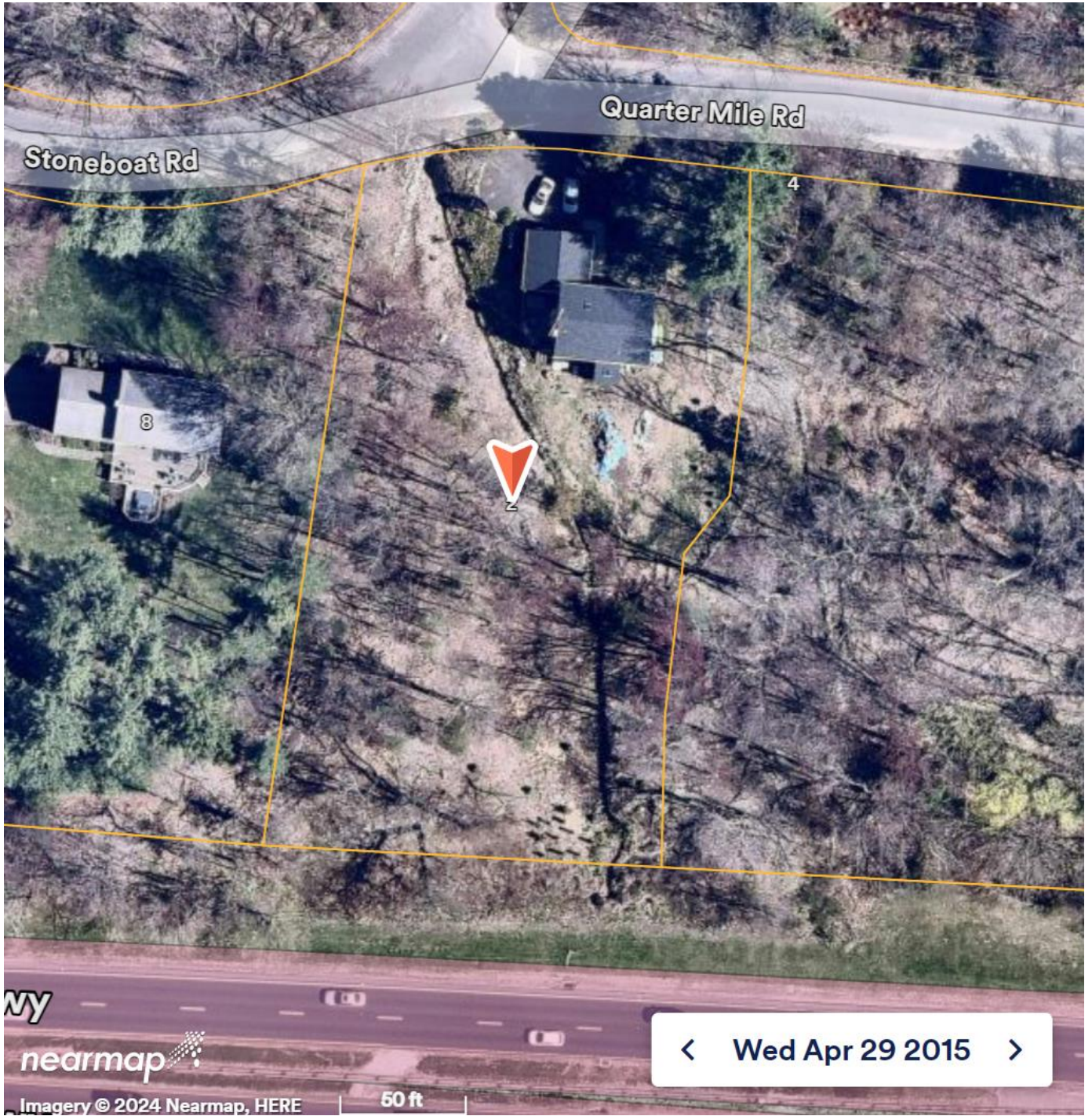
Aerial taken from Town of Westport GIS (2013)



Nearmap Aerial September, 2015



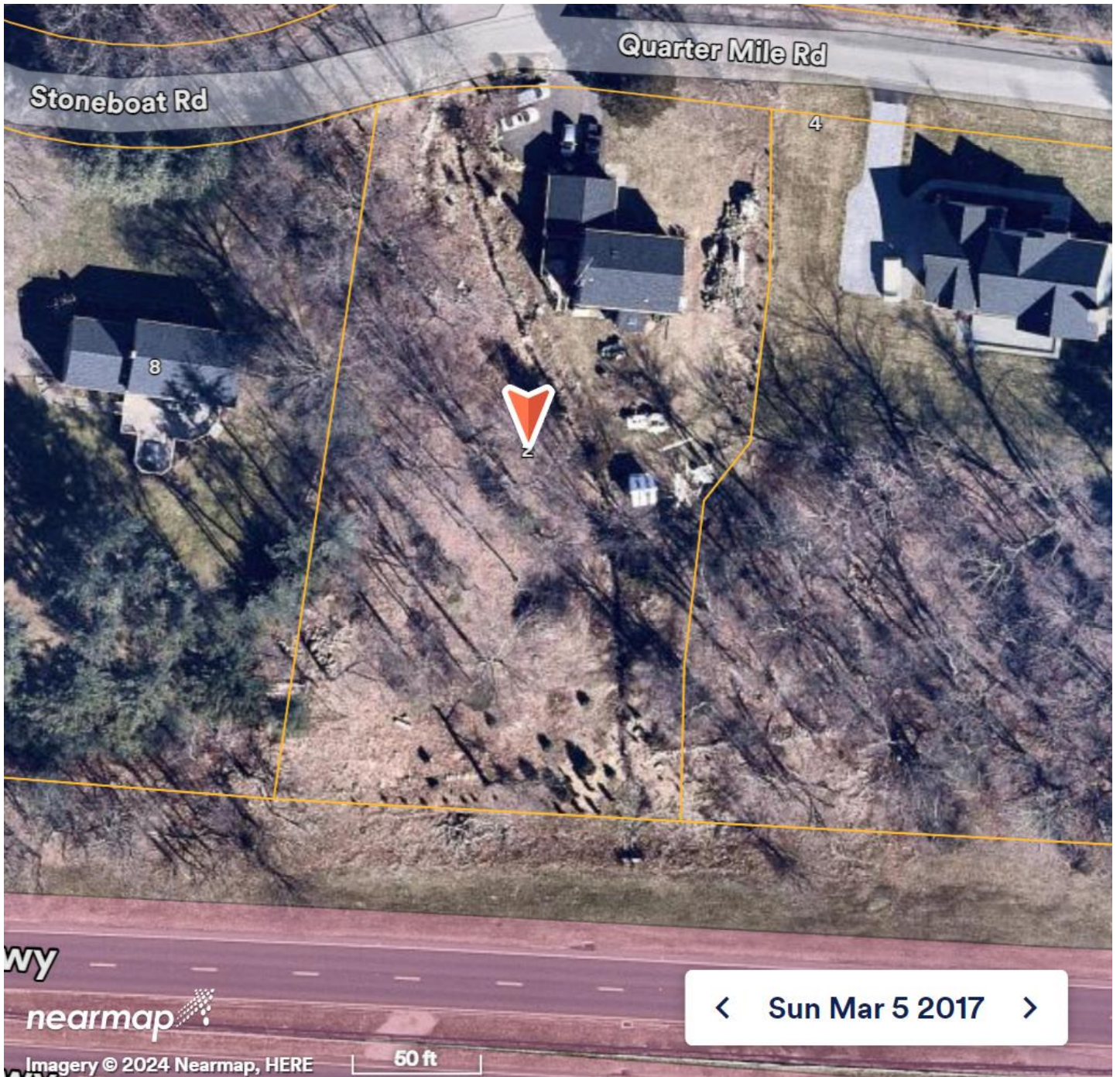
Nearmap Aerial April 2015



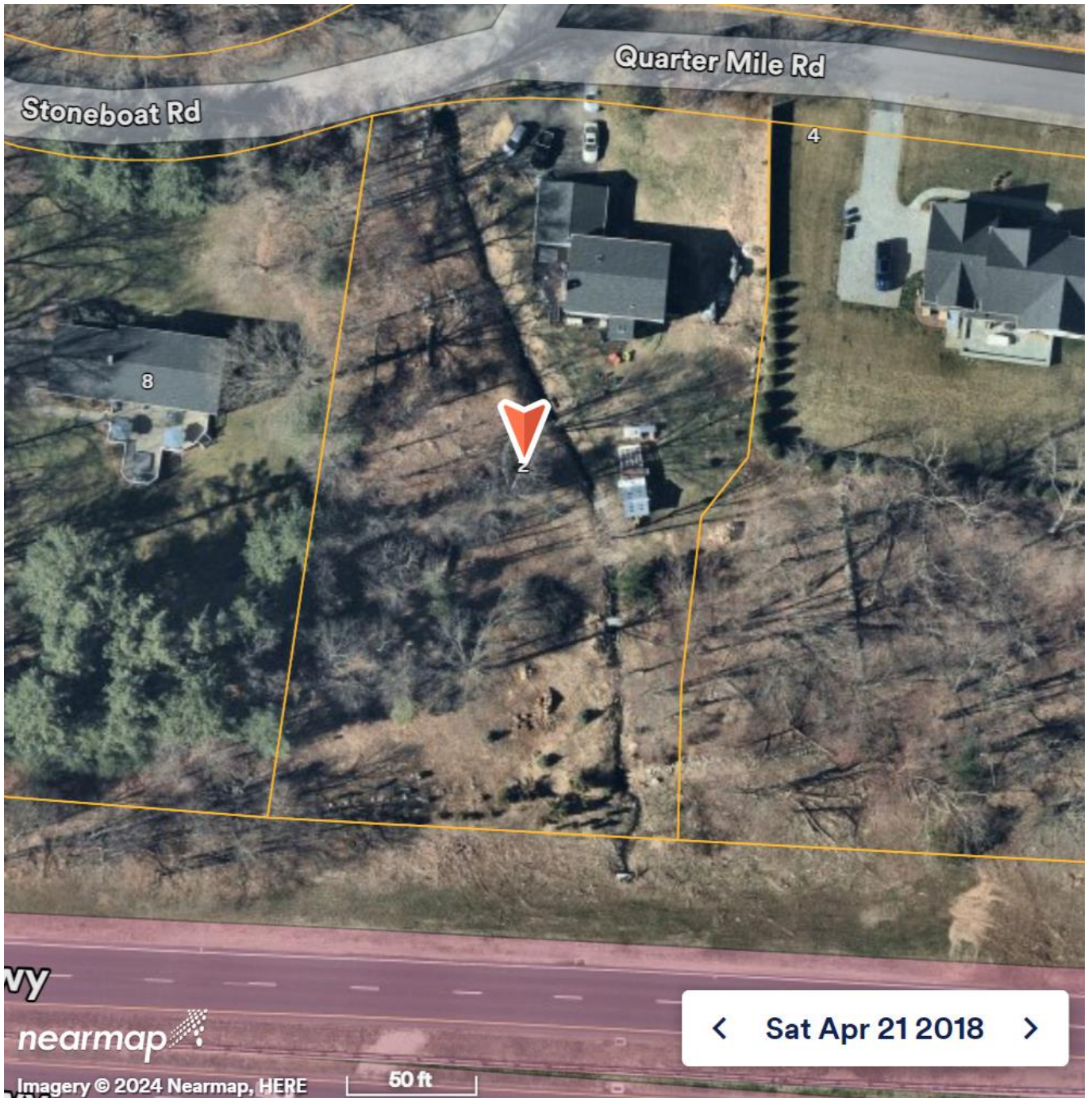
Nearmap Aerial March 2016



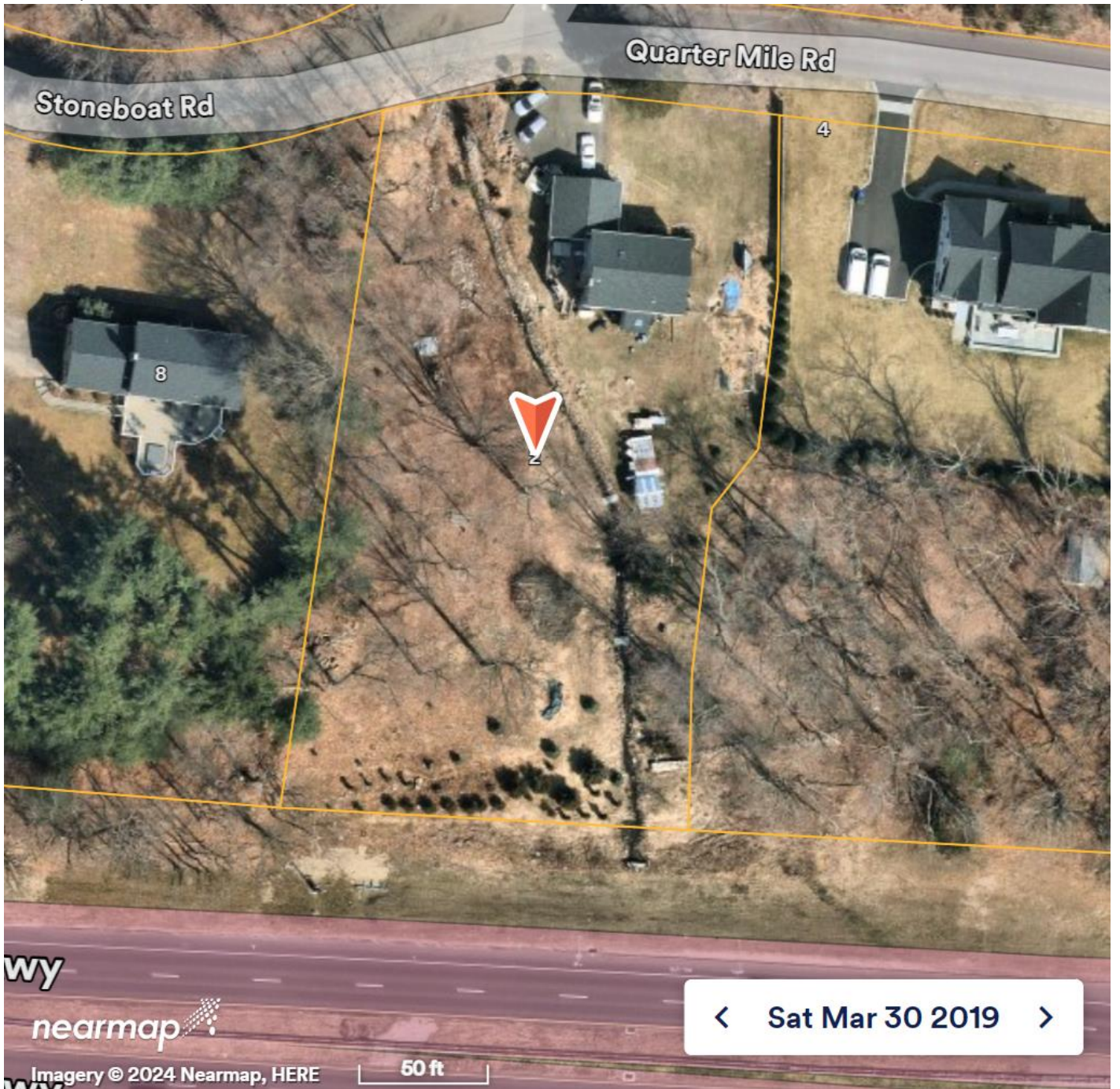
Nearmap Aerial March 2017



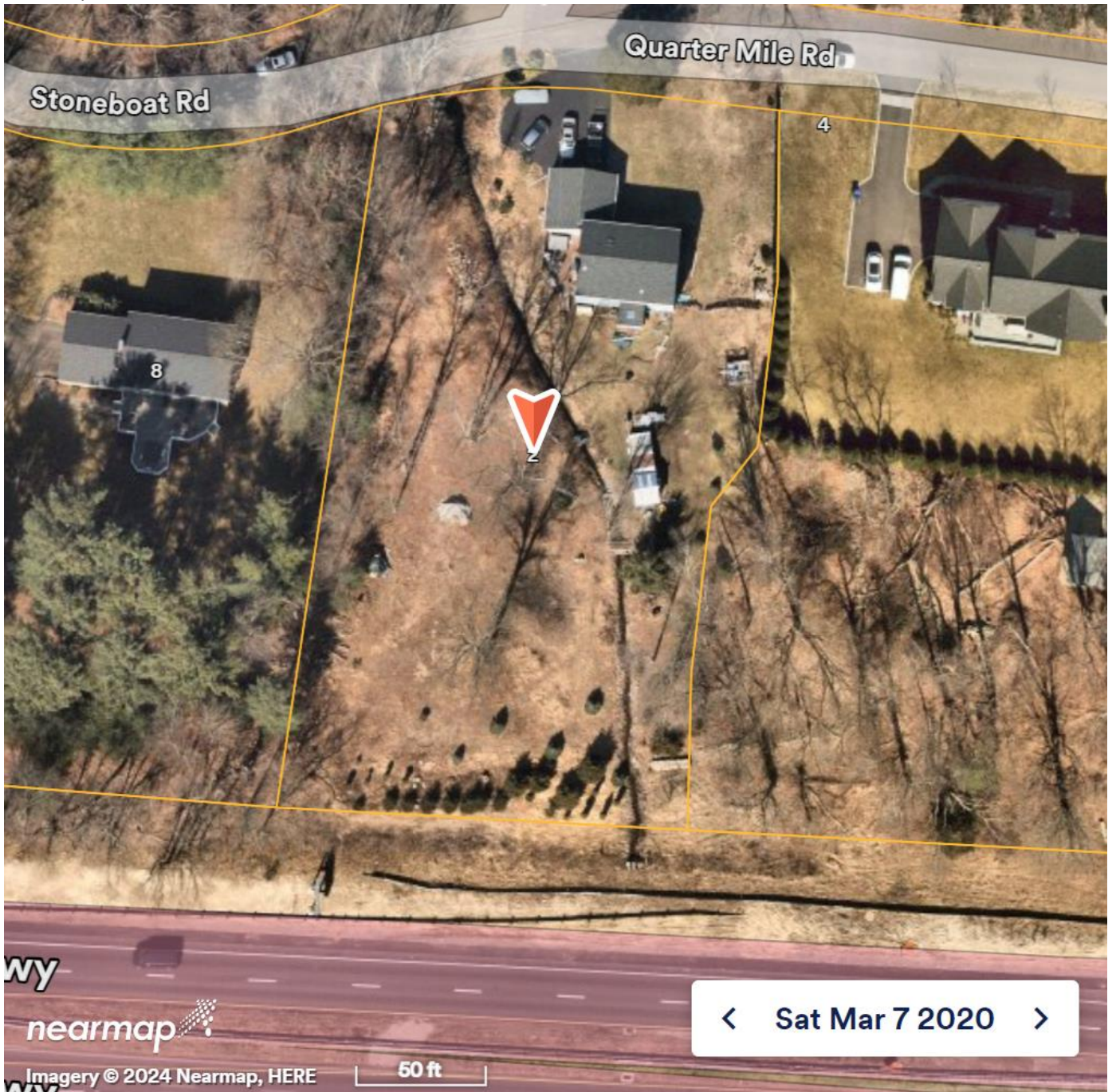
Nearmap Aerial April 2018



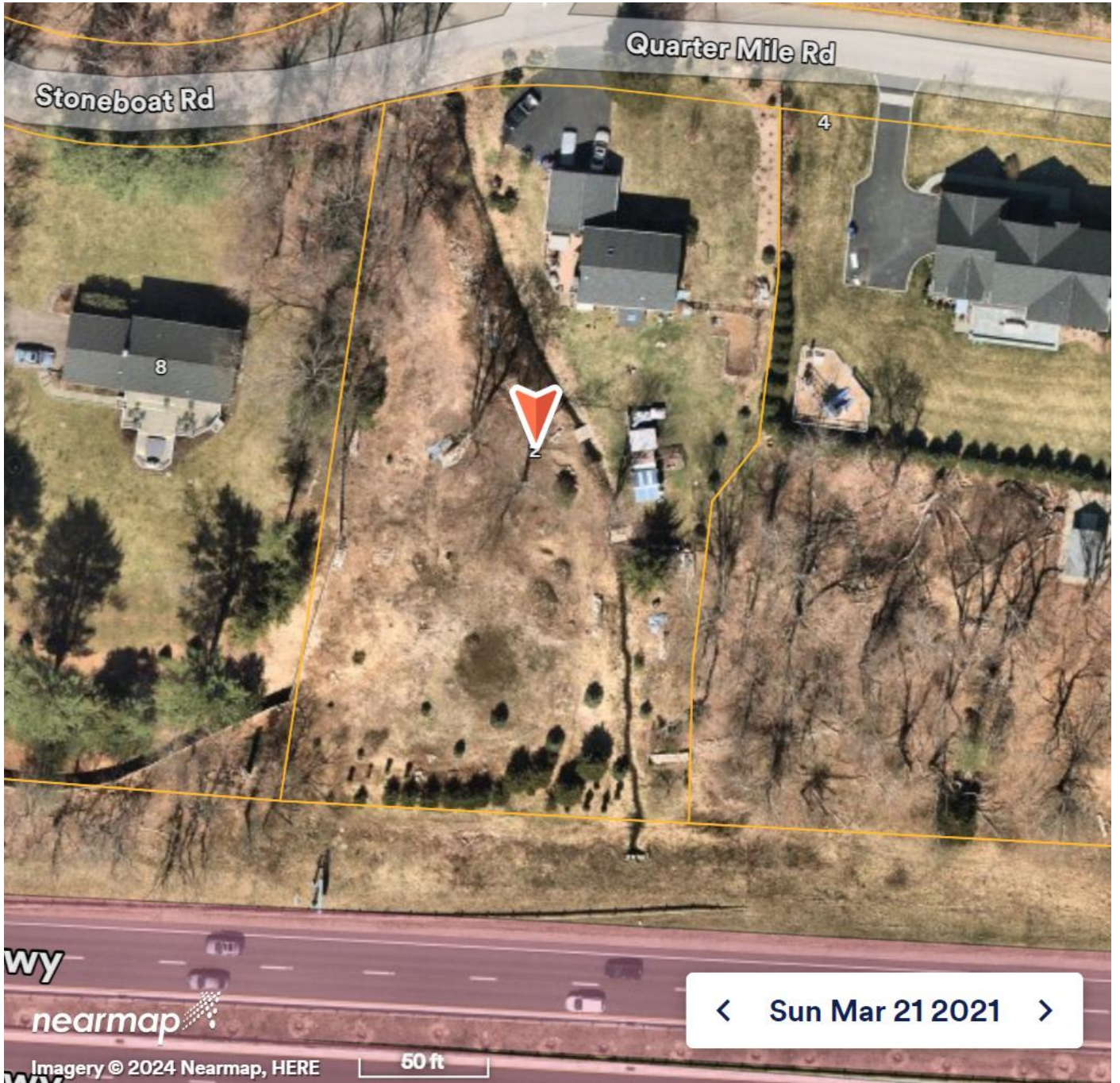
Nearmap Aerial March 2019



Nearmap Aerial March 2020



Nearmap Aerial March 2021



Nearmap Aerial March 29, 2023



Nearmap Aerial October 1, 2023

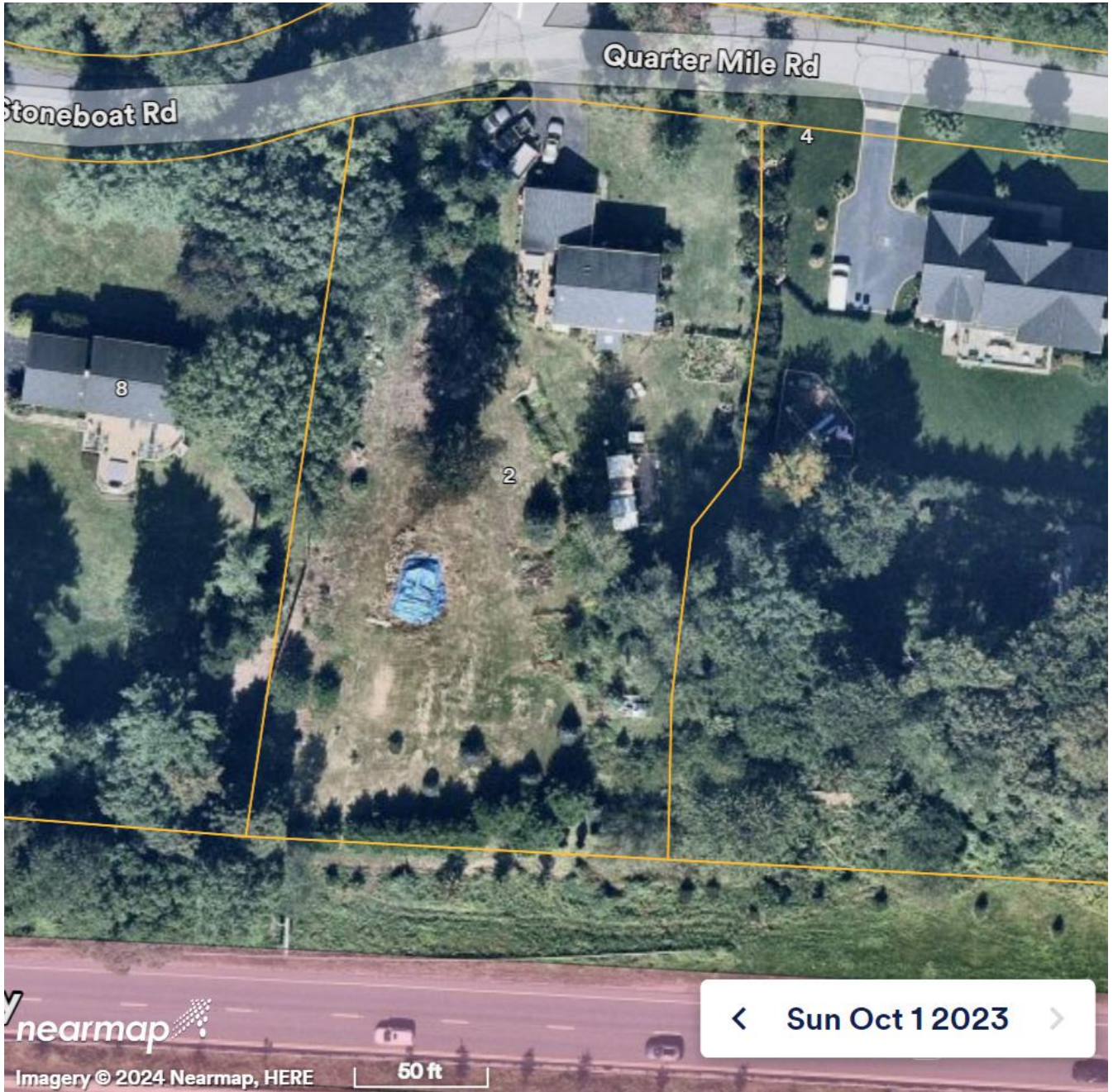


Photo Taken from Google Street August, 2012



Photo taken by Conservation Department 04/15/2013



Photo taken by Conservation Department 05/17/2013



Photo taken from Google Street October, 2015



Photo taken by Conservation Department 02/02/2024



Photos taken by Conservation Department 4/15/13





Photos taken by Conservation Department 4/19/24



