



June 26, 2023

Amanda Babb (HAND DELIVERED)
28 Codfish Lane
Weston, CT 06883

Subject: Notice of Violation and Stop Work Order – 28 Codfish Lane, Weston, CT 06883

Dear Ms Babb:

It has come to our attention that you are building a in a designate wetlands on or near your property line without the required wetlands permit.

With respect to the wetlands you are in violation of state of Connecticut Inland Wetlands and Watercourses Act for carrying out land disturbance in the wetland and upland review area without a required permit. To remedy this you will need to apply for a wetlands permit. The next due date is July 13. You will find details at:

<https://www.westonct.gov/government/permits-regulations/conservation-permits>

You may also contact Dr. Failla at (203) 222-2681 or 203-331-6035 or by email at conservationplanner@westonct.gov.

Sincerely,

Dr. Tom Failla, Conservation Planner

Cy James Pjura, Zoning Code Enforcement Officer ✓
Land Use Office Director
Town Attorney



Incorporated 1787

Conservation Commission

RECEIVED

AUG 15 2023

TOWN OF WESTON
CONSERVATION COMMISSION

INLAND WETLANDS AND WATERCOURSES APPLICATION

This Application is for a five-year permit to conduct a regulated activity or activities pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Weston ("The Regulations")

PROPERTY ADDRESS: 28 codfish Lane, Weston, CT 06883

Assessor's Map # Unknown Block # unknown Lot # 13

PROJECT DESCRIPTION (general purpose) Maintain existing wood fence

Total Acres 2.21 Total Acres of Wetlands and Watercourses Unknown

Acreage of Wetlands and Watercourses Altered N/A Upland Area Altered N/A

Acres Linear Feet of Stream Alteration N/A Total Acres Proposed Open Space N/A

OWNER(S) OF RECORD: (Please list all owners, attach extra sheet if necessary)

Name: Amanda Babb Phone: (917) 515-1062

Address: 28 codfish Lane, Weston, CT 06883

Email: amanda.babb@protonmail.com

APPLICANT/AUTHORIZED AGENT:

Name: Amanda Babb Phone: (917) 515-1062

Address: 28 codfish Lane, Weston, CT 06883

Email: amanda.babb@protonmail.com

CONSULTANTS: (Please provide, if applicable)

Engineer: _____ Phone: _____

Address: _____ Email: _____

Soil Scientist: Steven Danzer, Ph.D Phone: (203) 451-8319

ADJOINING MUNICIPALITIES AND NOTICE:

If any of the situations below apply, the applicant is required to give written notice of his/her application to the Inland Wetlands Agency of the adjoining municipality, on the same day that he/she submits this application. Notification must be sent by Certified Mail with Return Receipt Requested.

The property is located within 500 feet of any town boundary line;
A significant portion of the traffic to the completed project will use streets within the adjoining municipality to enter or exit the site;

A portion of the water drainage from the project site will flow through and significantly impact the sewage system or drainage systems within the adjoining municipality; or
Water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality

AQUARION WATER COMPANY

Pursuant to Section 8.4 of the Weston regulations, the Aquarion Water Company must be notified of any regulated activity proposed within its watersheds. Maps showing approximate watershed boundaries are available at the office of the Commission. If the project site lies within these boundaries, send notice, site plan, and grading and erosion control plan via certified mail, return receipt requested, within seven (7) days of submitting application to the Commission, to:

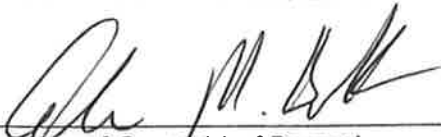
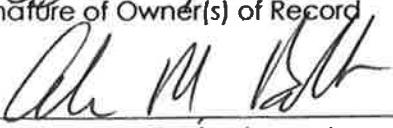
George S. Logan, Director – Environmental Management
Aquarion Water Company
714 Black Rock Turnpike
Easton, CT 06612

The Commissioner of the Connecticut Department of Public Health must also be notified in the same manner in a format prescribed by that commissioner.

The undersigned, as owner(s) of the property, hereby consents to necessary and proper inspections of the above mentioned property by Commissioners and agents of the Conservation Commission, Town of Weston, at reasonable times, both before and after a final decision has been issued by the Commission.

The undersigned hereby acknowledges to have read the "Application Requirements and Procedures" in completing this application.

The undersigned hereby certifies that the information provided in this application, including its supporting documentation is true and he/she is aware of the penalties provided in Section 22a-376 of the Connecticut General Statutes for knowingly providing false or misleading information.

	<u>8/7/2023</u>
Signature of Owner(s) of Record	Date
	<u>8/7/2023</u>
Signature of Authorized Agent	Date

FOR OFFICE USE ONLY

Administrative Approval

Initials

Date



STEVEN DANZER, PHD & ASSOCIATES LLC

Wetlands & Environmental Consulting

WWW.CTWETLANDSCONSULTING.COM

203-451-8319

WETLAND BOUNDARIES • POND & LAKE MANAGEMENT • CONSTRUCTION FEASIBILITY CONSULTATIONS • ENVIRONMENTAL STUDIES

Environmental Comments

28 Codfish Lane, Weston, CT

Date: August 4, 2023

By: Steven Danzer Ph.D.

- Soil Scientist – Certified Nationally by the Soil Science Society of America (#353463).
– Registered with the Society of Soil Scientists of Southern New England.
- Senior Professional Wetland Scientist - PWS #1321, Society of Wetland Scientists.
- Arborist - CT DEEP License S-5639; ISA Certified NE-7409A.

- Ph.D. in Renewable Natural Resource Studies.

INTRODUCTION

The owner of the property located at 28 Codfish Lane, Weston, Connecticut has contracted with Steven Danzer PhD & Associates to offer an expert opinion regarding the impact of the existing wooden paneled fence within and/or adjacent to wetlands. The site was visited on August 1, 2023. My observations, analysis, and conclusions are as follows:

EXISTING CONDITIONS

There were two non-connected portions of the fence observed. The first section of fence was located along a portion of the western property line (as understood from the Town GIS) between #28 and #34, commencing from Codfish Lane. This western section of fence was approximately 96 feet in length and consisted of 12 wooden panel sections.

The western section of fence does not cross any wetlands or watercourse, but runs parallel to what may be an intermittent watercourse (no flow at time of visit), located at

substantially lower grade. The fence, located well above the floodplain, does not cross the intermittent watercourse, physically impede the watercourse in any way, or obstruct its hydrology.

The second section of fence is located along a portion of the eastern property line (as understood from the Town GIS) between #28 and #26, commencing from Codfish Lane. This eastern section was approximately 368 feet in length and consisted of 46 wooden panel sections.

The bulk of the eastern section of fence is located within the upland review area but not in the wetlands. Only a 25-30 foot section of the fence (including 4 concrete footings between panels) actually crosses through wetlands. The wetlands within and adjacent to this area consist of a partially manmade and partially natural stream channel embedded within a forested and herbaceous sloped wetland area. A small pocket of this wetland system is located east of the fence on an adjacent property (#26 Codfish Lane). This wetland pocket drains towards the rest of the wetland system located on the site (#28 Codfish Lane).

IMPACT ANALYSIS

The fence was reviewed to determine if there were any significant impacts to the wetland resources, pursuant to the definition of “Significant Impact Activities” contained within Section 2.1 of the Inland Wetlands and Watercourses Regulations of the Town of Weston.

According to Section 2.1, “Significant Activity” include activities that involve (to summarize) a) deposition or removal of material; b) substantially changes the natural channel or may inhibit watercourse dynamics; c) substantially diminish the natural capacity of the wetland resources or provide other functions; d) cause or potentially cause substantial turbidity, siltation or sedimentation; e) cause substantial diminution of flow or groundwater levels to the wetland resources; f) cause or potentially cause pollution; g) damage or destroys unique, scientifically or educationally valuable wetland areas; and h) adversely affect the health, welfare, and safety of any individual or the community

As per the above definition, it was concluded that the fence, under existing conditions, does not, and will not, cause significant impact to the wetlands, nor has the natural resource been unreasonably impaired, polluted, or destroyed, with the following considerations in mind:

- Only a small portion of the eastern section of fence (roughly 25-30 feet) actually crosses through wetlands, involving only 4 concrete footings. The rest of the eastern section of fence (338 feet) is not in the wetlands.

- The entire 96 feet length of the western section of the fence is located out of the wetlands/watercourse.
- The western section of fence is located well above the floodplain of the nearby intermittent watercourse. The fence does not cross the intermittent watercourse, nor does it physically impede the watercourse in any way, nor does the fence obstruct its hydrology.
- It appears that there were no trees removed during fence installation. There was no evidence observed or any indication of clearing activities that cause or caused unreasonable pollution, destruction, or impairment to the wetlands area.
- Within the wetland crossing area of the eastern section of fence, between the posts there are a few inches of gap between the bottom of the wooden fence and the ground, allowing for surface flow from the small wetland area within the neighboring property to continue unimpeded under the fence.
- The concrete footings under the four posts located within the wetland area displace minimal habitat. Removal would likely be more disruptive to the wetlands than maintaining the posts in their current location, in my opinion.

With the above considerations in mind, it is my opinion that there are no significant impacts to the wetlands due to the fence, nor has the natural resource been unreasonably impaired, polluted, or destroyed. Nor are there any significant or detrimental alterations to the existing or prior wetland functions or values.

Thank you for the opportunity to comment.
Respectfully submitted,
Signed,



Steven Danzer Ph.D.

Professional Wetland Scientist, Soil Scientist, Arborist,
Ph.D. in Renewable Natural Resource Studies

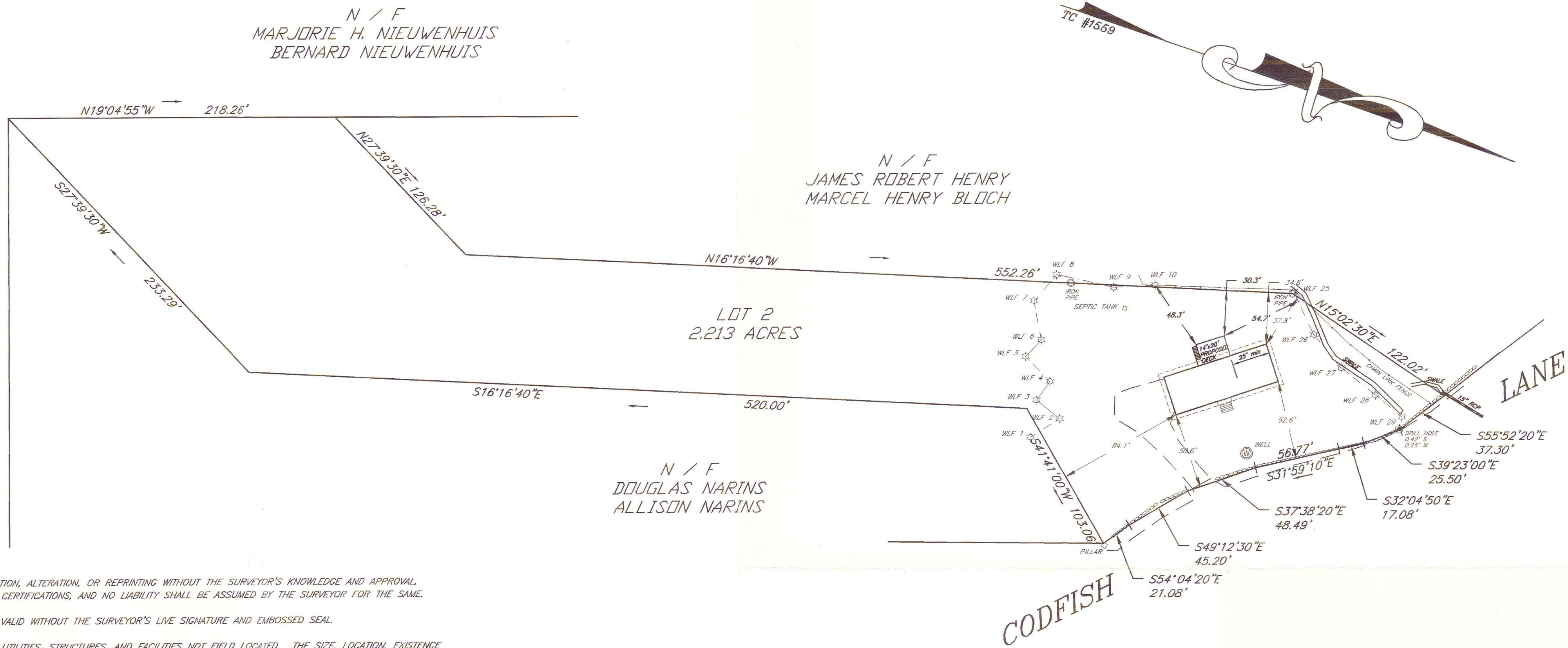


N / F
MARJORIE H. NIEUWENHUIS
BERNARD NIEUWENHUIS

N / F
JAMES ROBERT HENRY
MARCEL HENRY BLOCH

N / F
DOUGLAS NARINS
ALLISON NARINS

LOT 2
2.213 ACRES



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THIS MAP NOT VALID WITHOUT THE SURVEYOR'S LIVE SIGNATURE AND EMBOSSED SEAL.

UNDERGROUND UTILITIES, STRUCTURES, AND FACILITIES NOT FIELD LOCATED. THE SIZE, LOCATION, EXISTENCE OR NON-EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES. CONTACT "CALL BEFORE YOU DIG" AT 1-800-922-4453.

REFERENCE MADE TO MAPS #852, 1559, 1696, 2003, AND 2027 OF THE TOWN CLERK'S OFFICE.

ENCROACHMENTS, IF ANY, NOT LOCATED FOR THE PURPOSE OF THIS SURVEY.

THE PURPOSE OF THIS SURVEY IS TO DETERMINE COMPLIANCE WITH ZONING REGULATIONS.

WETLANDS FLAGGED BY JAY FAIN & ASSOCIATES, LLC, AND FIELD LOCATED BY THIS OFFICE.

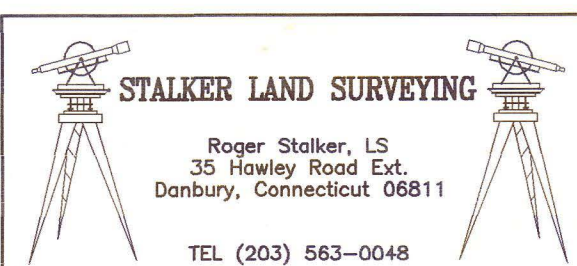
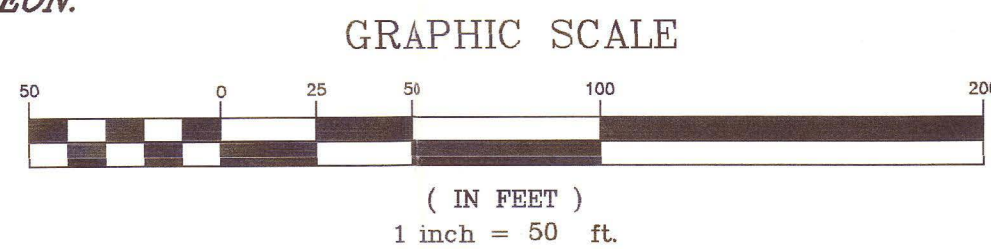
MAXIMUM BUILDING COVERAGE: 15%. EXISTING BUILDING COVERAGE: 2.6%.
MAXIMUM BUILDING COVERAGE: 15%. PROPOSED BUILDING COVERAGE: 2.9%.

THIS MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTION 20-300B-1 THROUGH 20-300B-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996.

SURVEY TYPE: ZONING LOCATION SURVEY
BOUNDARY DETERMINATION CATEGORY: DEPENDENT RESURVEY
CLASS OF ACCURACY: A-2

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
CERTIFIED BY:

Roger A. Stalker
ROGER A. STALKER, LS # 70009



ZONING LOCATION MAP
28 CODFISH LANE
ZONE: R-2A
WESTON, CONNECTICUT
PREPARED FOR
HEATHER P. LEVY
AND
DAVID M. LEVY
AUGUST 6, 2004

DRAWN BY:	RAS	DATE:	8-6-04
CHECKED BY:	RAS	DRAWING NO.:	LEVY
JOB NO.:	0512004	SHEET	1 OF 1

