



Inland Wetlands and Watercourses Commission

www.essexct.gov

Carey Duques, Land Use Official
Email: cduques@essexct.gov
Phone: 860-767-4340 ext 115

Essex Town Hall
29 West Avenue
Essex, Connecticut 06426

CEASE AND DESIST ORDER

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
REGULAR MAIL**

May 2, 2023

The Paul Foundation
One Champlain Square
Essex, CT 06426

Re: Cease and Correct
At 52 West Avenue
Essex, CT 06426
Assessor Map 32, Lot 73

Dear Mr. Paul,

Based upon personal observations made on April 28, 2023 I am aware that activities have taken place on the property at 52 West Avenue Essex, including:

1. Excavation of soil, placement of stone and development of a patio within the 100-foot upland review area of a wetlands without a permit (see attached photos).

Such work constitutes regulated activities pursuant to the Town of Essex, Inland Wetlands and Watercourses Regulations and Connecticut General Statutes, Section 22a-36 through 22a-45.

This activity requires that a permit be obtained prior to conducting such regulated activities. Since the work has been done without a permit, such work has been conducted in violation of the law.

Therefore, pursuant to Section 14.4(a) of the Regulations and Sections 22a-36 through 22a-45 of the Connecticut General Statutes, you are hereby ORDERED:

- (1) cease each of the activities enumerated and described above or other activities within the wetlands or watercourses of the Town of Essex without a permit; and

(2) provide the Essex IWWC with a plan and/or written description showing the work proposed within the 100-foot upland review area of the pond. A timeline explaining when the work will be completed is also required; and

(3) pay the appropriate enforcement fee as determined by the Essex IWWC.

You are hereby further notified pursuant to Section 14.4(a) of the Regulations that a hearing shall be held at the IWWC meeting to be held on **Tuesday May 9, 2023 at 7 pm at Essex Town Hall, 3rd Floor Conference Room A.**

At this hearing you will be provided the opportunity to show cause why the Order should not remain in effect. The Commission will decide if the Order is to remain in effect, or that a revised Order is in effect, or that the Order is withdrawn. You will receive notice of the Commission decision within 15 days by certified mail. This Order shall remain in effect until the Commission affirms, revises or withdraws the Order.

If you have questions, please contact me, at 860-767-4340 ext 115. Your prompt cooperation is appreciated.

Sincerely,



Carey Duques, CZEO, AICP
Land Use Official
Town of Essex

Cc: Ryan Welch, Director of Public Works
Michael Furgueson, IWWC Chairman
Sylvia Rutkowska, IWWC Attorney
Bob Doane, WEO

Appendix A
Photos 52 West Ave Essex, CT
Cease and Desist

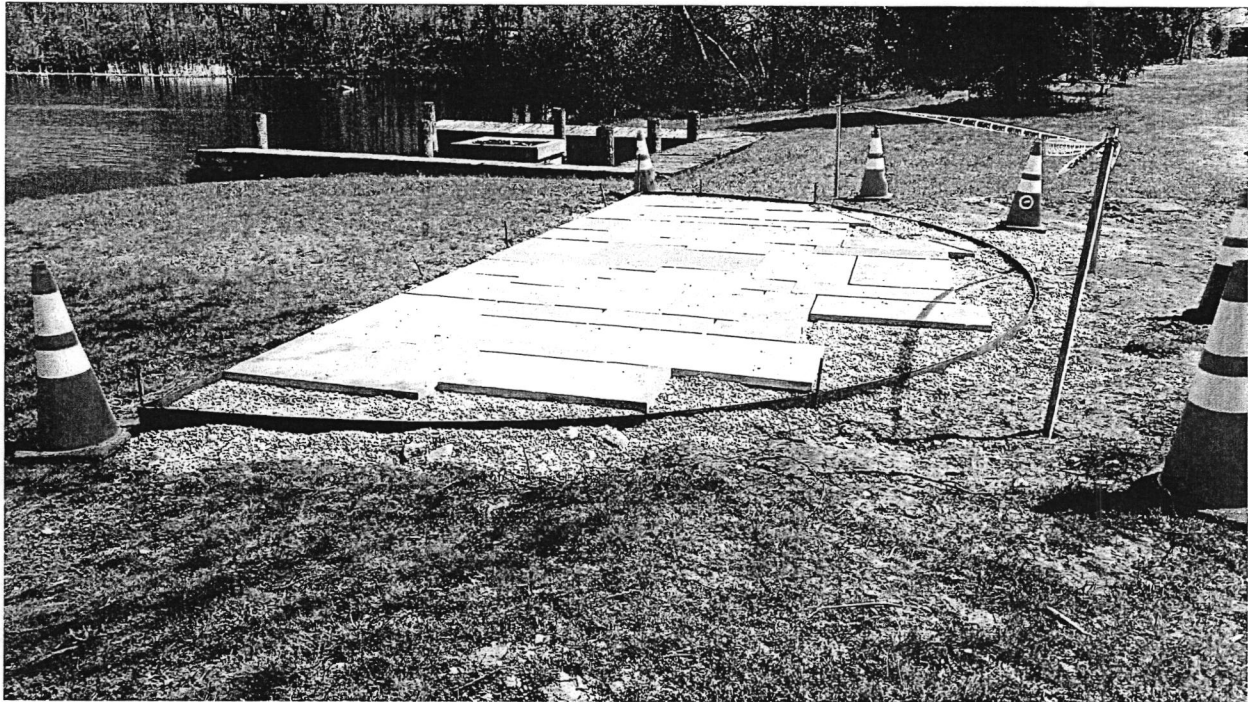


Photo 1 facing east looking at the patio being constructed at 52 West Avenue within 100 feet from the pond. Square footage of the patio is approximately 190 sq ft. Photo taken April 28, 2023 by Carey Duques

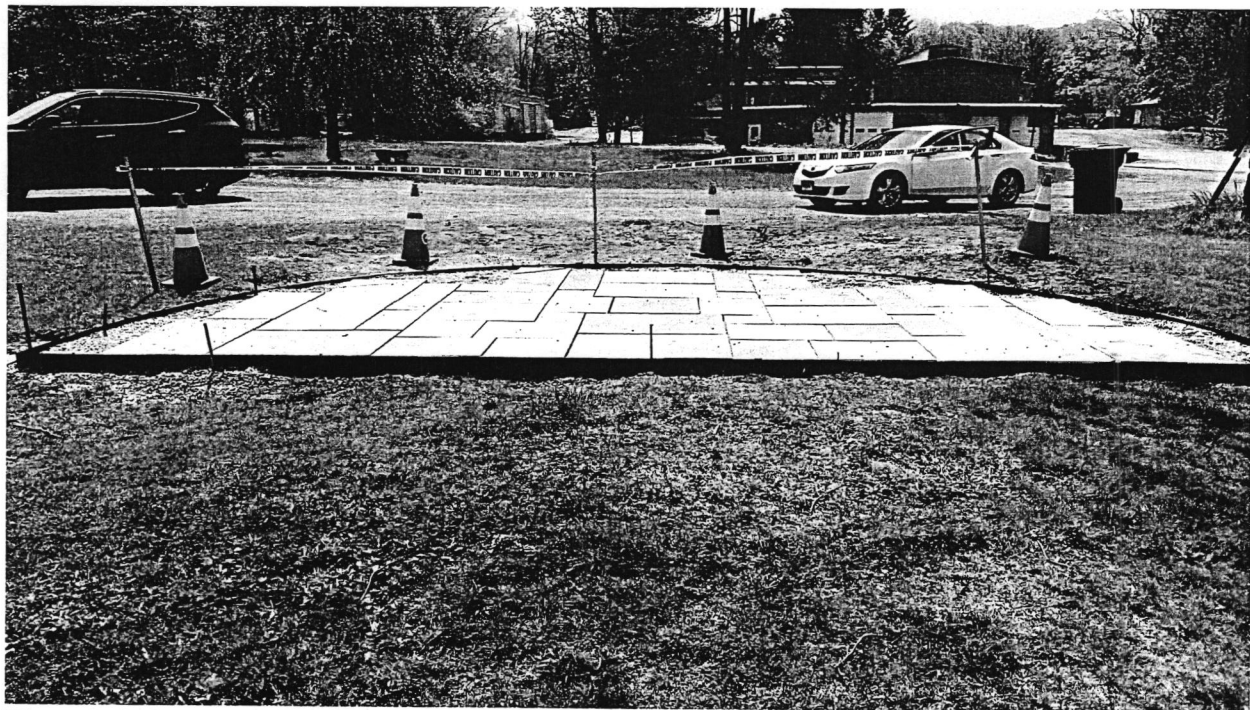


Photo 2 facing south looking at the patio being constructed at 52 West Avenue within 100 feet from the pond. There was no evidence of erosion. Photo taken April 28, 2023 by Carey Duques