



## Inland Wetlands and Watercourses Commission

[www.essexct.gov](http://www.essexct.gov)

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

Essex Town Hall  
29 West Avenue  
Essex, Connecticut 06426

### CEASE AND CORRECT ORDER

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
REGULAR MAIL**

7015 1520 0001 7181 0092

March 7, 2023

Michelle M Annicelli  
55 Pond Meadow Road  
Ivoryton, CT 06442

**Re: Cease and Correct**

At 55 Pond Meadow Road  
Ivoryton, CT 06442  
Assessor Map 83, Lot 4

Dear Ms. Annicelli,

Based upon personal observations made on February 14, February 21, and February 24 2023. I am aware that activities have taken place on the property at 55 Pond Meadow Road Ivoryton, including:

1. Cutting of brush and vegetation 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 types and numbers of plantings that will replace the trees and vegetation located within the 100-foot upland review area of a wetlands that were removed without a permit. 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 March 14, 2023 at 7 pm at Essex Town Hall, 3<sup>rd</sup> 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Commission will decide if the Order is to remain in effect, or that a revised Order is in effect, or that the Order is withdrawn.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: Michael Furgueson, IWWC Chairman  
Sylvia Rutkowska, IWWC Attorney  
Bob Doane, WEO



Appendix A  
Photos 55 Pond Meadow Road Ivoryton, CT  
Cease and Correct



Photo 1a of the rear yard of 55 Pond Meadow Road before work was completed. Area is located within 100 feet of a wetlands. Photo taken February 14, 2023 by Carey Duques



Photo 1b of the rear yard of 55 Pond Meadow Rd after the leaf pile was removed and brush and 1 pine tree was cut. Photo taken February 21, 2023 by Carey Duques.



Appendix A  
Photos 55 Pond Meadow Road Ivoryton, CT  
Cease and Correct (Continued)



Photo 2 of the rear yard of 55 Pond Meadow Rd facing southeast after the work was done. Brush appears to have been cut and grubbed. Photo taken February 24, 2023 by Carey Duques.



Photo 3 of the rear yard of 55 Pond Meadow Rd facing east after the work was done. Tree stumps were not noticed. Appears that brush and smaller growth was cut. Erosion was not observed on the site. Photo taken February 24, 2023 by Carey Duques.



Appendix A  
Photos 55 Pond Meadow Road Ivoryton, CT  
Cease and Correct (Continued)



Photo 4 of the rear yard of 55 Pond Meadow Rd facing northeast after the work was done. It's not clear if there is a pipe located in the embankment that is the source of the water that empties into the pond. Photo taken February 24, 2023 by Carey Duques.



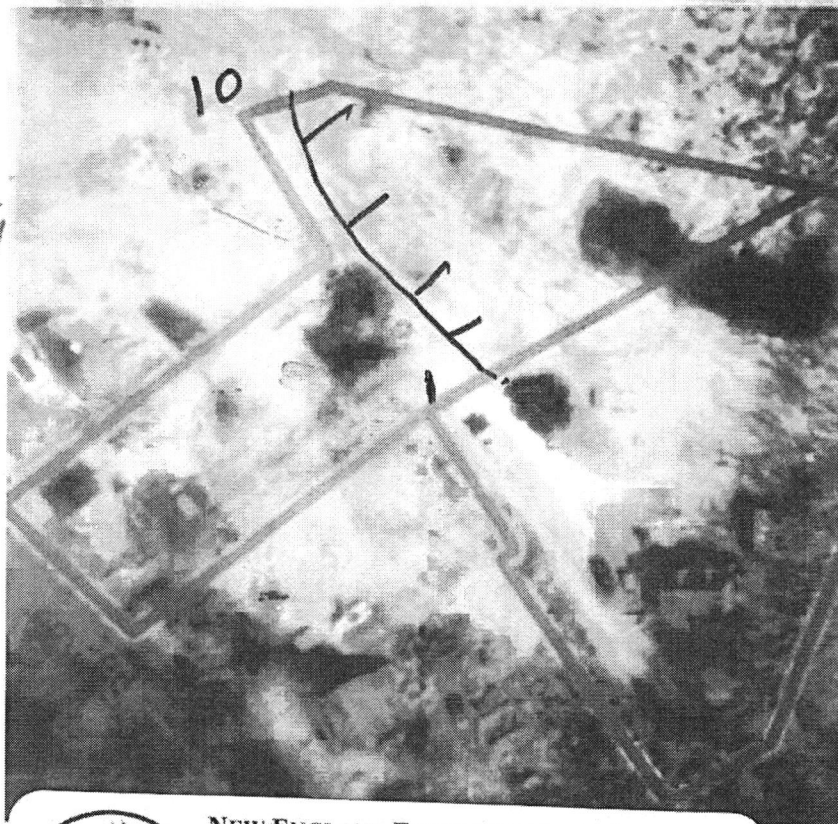
Photo 5 of the rear yard of 55 Pond Meadow Rd facing north after the work was done. Photo taken February 24, 2023 by Carey Duques.



**GIS Image of 55 Pond Meadow Road**  
**Locations where photos were taken are noted below.**







NEW ENGLAND ENVIRONMENTAL SERVICES  
WETLAND CONSULTING SPECIALISTS SINCE 1983  
30 GINA LANE  
MARLBOROUGH, CONNECTICUT 06447

The wetland boundary is  
marked with pink flag  
(+ through 10)

Richard Szwarski  
Soil Scientist

2/27/2023