

Town of Andover
Department of Inland Wetlands and Watercourses
Notice of Violation

Date: 11/27/2019

Dear Mr. Boehm,

This is an official **Notice of Violation** of section 1 and 6 of the **Town of Andover Inland Wetlands and Watercourse Regulations** on your property at 33 Route 87, Andover, CT 06232.

Violation Information

Inspector: Joshua Snarski, Andover Wetland Agent

Inspector Contact Information: Wetlands@andoverct.org Mobile: (860) 818-1473

Date and Time of Inspection: Thursday, 11/7/2019 at 12:00 PM

Location: 33 Route 87, Andover, CT 06232

Property Owner: Kurt Boehm

Property Owner Contact Information: Allplumbingheatingllc@gmail.com

Type of Violation: Deposition of material on a steep slope immediate to a watercourse, erection of a building (shed) within 100 feet of a watercourse.

Is there an open Inland Wetland and Watercourse Permit: Our records do not an open wetlands permit for 33 Route 87, Andover, CT 06232

Corrective Actions: Obtain a professionally prepared plan which addresses the following: Remove deposited material along natural watercourse slope and stabilize the bank to prevent sediment inflow into the watercourse. Precautions must be taken during remediation process to ensure material does not enter the watercourse and the banks are re-established (stabilized with non-erodible material in the absence of vegetation to prevent erosion and sedimentation).

This plan will be reviewed by the Inland Wetland and Watercourse Commission at the next scheduled meeting.

Inland Wetland and Watercourses Commission Meeting

Presence Requested at Next Meeting: Yes

Requested Support Documentation: Professionally prepared remediation plan is strongly recommended.

Date and Time: Monday, 12/9/2019 at 7:00 PM

Location: Andover Town Hall, 17 School Road, Andover, CT 06232

This notice of violation or abatement order is appealable to the Superior Court of the State of CT.

Please contact the Andover Wetland Agent Office with any questions
Andover Town Hall, 17 School Road, Andover, CT 06232
www.andoverconnecticut.org (860) 742-7305

SECTION 1
TITLE AND AUTHORITY

1.1 The Inland Wetlands and Watercourses of the State of Connecticut are an indispensable and irreplaceable but fragile natural resource with which the citizens of the state have been endowed. The wetlands and watercourses are an interrelated web of nature essential to an adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to the recharging and purification of groundwater; and to the existence of many forms of animal, aquatic and plant life. Many inland wetlands and watercourses have been destroyed or are in danger of destruction because of unregulated use by reason of the deposition, filling or removal of material, the diversion or obstruction of water flow, the erection of structures and other uses, all of which have despoiled, polluted and eliminated wetlands and watercourses. Such unregulated activity has had, and will continue to have, a significant, adverse impact on the environment and ecology of the state of Connecticut and has and will continue to imperil the quality of the environment thus adversely affecting the ecological, scenic, historic and recreational values and benefits of the state for its citizens now and forever more. The preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the state. It is, therefore, the purpose of these regulations to protect the citizens of the state by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting the state's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse and mismanagement by providing an orderly process to balance the need for the economic growth of the state and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the state, the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

1.2 These regulations shall be known as the "Inland Wetlands and Watercourses Regulations of the Town of Andover."

ACTIVITIES REGULATED EXCLUSIVELY BY THE STATE COMMISSIONER OF
ENVIRONMENTAL PROTECTION

- 5.1 The Commissioner of Environmental Protection shall have exclusive jurisdiction over regulated activities in or affecting wetlands or watercourses, undertaken by any department, commission or instrumentality of the State of Connecticut, except any local or regional board of education, pursuant to sections 22a-39 or 22a-45a of the Connecticut General Statutes.
- 5.2 The Commissioner of Environmental Protection shall have exclusive jurisdiction over tidal wetlands designated and regulated pursuant to sections 22a-28 through 22a-35 of the Connecticut General Statutes, as amended.
- 5.3 The Commissioner of Environmental Protection shall have exclusive jurisdiction over activities authorized under a dam repair, or removal order issued by the Commissioner of Environmental Protection under section 22a-402 of the Connecticut General Statutes or a permit issued by the Commissioner of Environmental Protection under sections 22a-403 of the Connecticut General Statutes. Any person receiving such dam repair or removal order or permit shall not be required to obtain a permit from a municipal wetlands commission for any action necessary to comply with said dam order or to carry out the activities authorized by said permit.
- 5.4 The Commissioner of Environmental Protection shall have exclusive jurisdiction over the discharge of fill or dredged materials into the wetlands and watercourses of the state pursuant to section 401 of the Federal Clean Water Act, as amended, for activities regulated by the U.S. Army Corps of Engineers under section 404 of the Federal Clean Water Act.

SECTION 6
REGULATED ACTIVITIES TO BE LICENSED

- 6.1 No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Wetlands Commission of the Town of Andover.
- 6.2 The Commission shall regulate any operation within 100' of a wetland or watercourse, and within 200' of an area of special concern (Sec. 1.6), involving removal or deposition of material, or any obstruction, construction, alteration or





