

**TOWN OF BROOKLYN  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
69 SOUTH MAIN STREET  
BROOKLYN, CT 06234  
(860) 779-3411 EXT. 31 AND EXT. 12  
M.Washburn@BrooklynCT.org**

**NOTICE OF VIOLATION**

To: David and Jamie Jarvis  
95 Bunny Lane  
Brooklyn, CT 06234

June 10, 2021

Location of Violation:  
95 Bunny Lane  
Brooklyn, CT 06234  
Assessors Map 42 Lot 22-78

Facts

In response to a complaint about trees being cut in the wetlands and in the 175-foot Upland Review Area to wetlands on your property, I inspected and took photographs on 6/10/21. Please refer to the attached photographs.

The following activities have been observed to have occurred on your property without an Inland Wetlands and Watercourses Permit: Vegetation has been removed in the wetlands and in the 175-foot Upland Review Area to the pond towards the rear of your property. Your activities, conducted without a permit from the regulatory authority, are in violation of the Brooklyn Inland Wetlands and Watercourses Regulations.

Applicable Laws and Regulations

The Brooklyn Inland Wetlands and Watercourses Regulations define, a “regulated activity” as any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, but shall not include the specified activities in section 4 of these regulations. Any **clearing**, grubbing filling, grading, paving, excavating, constructing, depositing or removing of material and/or discharging of storm water or collected or concentrated drainage on land within the Upland Review Area, which activities may have a substantial impact on an inland wetland or watercourse, is a Regulated Activity, even if no activity actually occurs within the wetland or watercourse boundary.

Upland Review Area is defined as that area that is the greater area of land within:

- 1) A radius of one hundred twenty-five (125) feet measured horizontally from each point on the boundary of any wetland; or
- 2) A radius of one hundred seventy-five (175) feet measured horizontally from each point on the mean high water mark of any continuous watercourse.

After the Commission has examined a proposed activity in regard to its potential impacts or effects on the inland wetlands or watercourses, the Commission may rule that any proposed activity located within such Upland Review Area or in any non-wetland or non-watercourse area beyond the boundary of the Upland Review Area is likely to have a substantial impact or affect wetlands or watercourses and is therefore deemed a regulated activity in accordance with this Regulation.”

“Upland Review Area” means “non-wetland or non-watercourse areas where activities are likely to impact or affect wetlands or continuous watercourses”.

Section 4 of the Regulations addresses exemptions, and Section 6.1 provides that any regulated activity requires a permit.

Section 6.2 states “Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law”.

#### Violation

It appears that you have conducted regulated activities without a permit in the Upland Review Area to the pond towards the rear of your lot.

Please attend the July 13, 2021 meeting of the Brooklyn Inland Wetlands and Watercourses Commission at 6:00 p.m. at the Clifford B. Green memorial Center at 69 South Main Street.

Please submit a plan (drawing) by Wednesday, June 30, showing the work you have done in the Upland Review Area to the pond, including clearing and scraping up/moving around piles of organic matter and debris. You can drop off the plan in the drop box to the right of the double marron doors to the Land Use Office, or email it to me at [m.washburn@brooklynct.org](mailto:m.washburn@brooklynct.org)

Dated at Brooklyn, this 10<sup>th</sup> day of June 2021.



Margaret Washburn, Enforcement Officer of the Brooklyn  
Inland Wetlands and Watercourses Commission



