



TOWN OF RIDGEFIELD CONSERVATION COMMISSION REVISED NOTICE OF VIOLATION

66 Prospect Street, Ridgefield, Connecticut 06877
Phone: (203) 431 - 2383; Fax: (203) 431 - 2737

Date: August 17, 2021

Judd Zusel
25 Tanglewood Court
Ridgefield, CT 06877

Location of Violation: Open Space Parcel ID E19-0030 (along property boundary of 25 Tanglewood Court and 143 Wilton Road West).

Issued to: Judd Zusel

Authority: This notification is issued in accordance with Connecticut General Statutes Section 7, and the Ridgefield Town Code Ordinance, Chapter 262 *Open Space Use*, and Chapter 24 *Citations*. The Ridgefield Conservation Commission may enforce compliance by means of citation issued pursuant to the citation provisions of Chapter 24 of the Ridgefield Town Code. A citation may be issued for any violation of the Conservation Ordinance and/or Regulations of the Town of Ridgefield.

The Conservation Enforcement Officer (CEO) is the Conservation Commission's agent for the issuance of violations of the Open Space Use Ordinance and/or Regulations of the Town of Ridgefield.

Description of Violation(s)

You were cited in for a probable violation of Chapter 262-12 of the Open Space Use Ordinance of the Town of Ridgefield. The Conservation Commission has received your formal response (dated July 24, 2021) to the Notice of Violation. The Commission reviewed and discussed your response letter during the special meeting held (date). The Commission has determined the mowing is in violation of the subsection **262-12** of Ridgefield Conservation Commission Open Space Use Regulations. In your formal response, you have agreed to discontinue mowing of the Town of Ridgefield Open Space Parcel ID E19-0030.

Under § 262-12 **Trespass on open space and easements**, you have committed the following violations:

- Violation 1: *“Unauthorized mowing of vegetation and cutting or removal of trees, shrubs and brush.”*
-

Actions to be Taken to Remedy the Violation

The Conservation Commission has identified the following actions to be taken by the violator to remedy the violations:

Reparable Damages

- Mowing of the open space shall cease immediately.
 - The property owner shall place 2-man boulders 20 feet on center (or an alternative feature approved by the Commission) along the property boundary to permanently demarcate the limit of maintained lawn. If an alternative feature is proposed, the Commission shall be notified by August 31, 2021.
-

Date by which the Violation Shall be Remedied

A site inspection will be conducted the first week of October 2021 (around the end of the growing season) by the Conservation Enforcement Officer to determine natural successional vegetative growth has been facilitated and the permanent demarcation feature has been implemented along the boundary of Town of Ridgefield open space.

Please note the following important information:

- Failure of the violator to remedy the violation within the prescribed time shall result in the issuance of a citation.
 - Per Chapter 24, any person issued a citation is entitled to a hearing to contest the citation. In order to receive a hearing, the person named in the citation must deliver a written request for a hearing to the Conservation Enforcement Officer within 30 days of his or her receipt of the citation.
 - Furthermore, if the violator fails to remove or remedy the violation, the Town may at its option pursue such remedies as may be available in law or in equity, including implementation of the remedy, placement of lien on property, court action, etc.
-

Amount of Civil Penalties

Should the violations described above not be remedied as defined above and by the dates indicated, the violator may be subject to the following additional civil penalties:

- Daily civil penalty of \$250 per violation.

Furthermore, violators shall be responsible for all costs and expenses associated with enforcement and collection of penalties, to include attorneys' fees, court costs, mailing costs, and filing fees.

Sent on Behalf of the Town of Ridgefield Conservation Commission

Sent Certified Mail:

cc: Rudy Marconi, First Selectman
Craig Hobbs, Complainant