

INLAND WETLANDS  
COMMISSION  
Telephone (203) 563-0180  
Fax (203) 563-0284



TOWN HALL  
238 Danbury Road  
Wilton, Connecticut 06897

April 30, 2021

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Daniel O'Neill  
27 East 124<sup>th</sup> Street 5E  
New York, NY 10035

Subject: Wetlands Permit Application #2671 – O'NEILL  
48 Sharp Hill Road, Wilton, CT (Map#57, Lot#74)

Dear Mr. O'Neill:

The Inland Wetlands Commission of the Town of Wilton has **GRANTED** your application to conduct "regulated activities" within the Town of Wilton. Your attention is directed to the enclosed Resolution #0421-27WET. It contains a description of the permitted work and the terms and conditions attached. Please review it carefully. Your work must conform to your permit. This permit is valid for nine years. Refer to General Condition #2 for additional information. The Director of Environmental Affairs must be notified 24 hours prior to commencing on-site work.

If you have not already done so, you should contact the State of Connecticut, Department of Energy & Environmental Protection, Bureau of Water Management to determine the requirement, if any, for State authorization. If your project involves filling of, or discharge to, Federally regulated wetlands or watercourses, you should contact the U.S. Army Corps of Engineers in Waltham, Massachusetts.

For your records, a copy of the Legal Notice of the Commission's decision is enclosed. If you have any questions or comments regarding your permit, please contact this office. Thank you for your cooperation in protecting the valuable natural resources of the Town of Wilton.

Sincerely,

Nick Lee  
Chairman

Encl. Resolution #0421-27WET  
General Conditions  
Legal Notice of Publication

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Telephone (203) 563-0180  
Fax (203) 5630284



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**April 30, 2021**  
**Resolution #0421-27WET**  
**WET#2671**

Upon review by the Commission at a duly noticed public meeting, the following decision was made:

**RESOLVED:**

that Wetlands Application #2671 to conduct "Intermediate Regulated Activities," as defined by Section 2.1.x of the Wilton Wetlands and Watercourses Regulations be granted to Daniel O'Neill for property located at 48 Sharp Hill Road #2, Wilton, CT (Assessor's Map#57, Lot #74). The authorized activity consists of a "corrective action" to address unauthorized tree removal in a regulated area as described in the following documents:

1. Cease & Desist Order, dated November 13, 2020
2. Uphold Cease & Desist Order, dated December 15, 2020
3. Legal Notice to Uphold Cease & Desist Order, dated December 16, 2020
4. Application for a "Corrective Action" Intermediate Application with supporting documents, dated November 20, 2020, signed by the Property Owner and Agent
5. Photo of branches through roof outside, unknown preparer, undated
6. Photo of branches through roof inside, unknown preparer, undated
7. Photo of branches through roof inside, unknown prepared, undated
8. GIS Map, undated, unknown preparer
9. GIS Map, undated, unknown preparer
10. GIS Map, undated, unknown preparer
11. GIS Map, undated, unknown preparer
12. Email correspondence between Staff, dated December 1, 2020
13. Email correspondence between Agent and Staff, dated January 11, 2021
14. Email correspondence between Staff, dated January 11, 2021
15. Portion of email to Agent, from Staff
16. Word Art Site Plan
17. Location Map, undated, unknown preparer
18. Email correspondence between Agent and Staff, dated January 8, 2021
19. Email between Staff, dated January 14, 2021
20. Email correspondence between Agent and Staff, dated January 14, 2021
21. Email correspondence between Agent and Staff, dated February 4, 2021
22. Email correspondence between staff, dated February 23, 2021
23. Letter from Staff to Owner, dated February 24, 2021
24. Email from Property Owner to Staff, dated February 26, 2021
25. Email from Staff to Commissioners, dated February 26, 2021
26. Letter from Staff to Owner, dated March 12, 2021
27. Email from Staff to Owner, dated March 16, 2021

28. Application for a "Corrective Action" Intermediate Level Activity with supporting documentation, dated March 30, 2021, signed by the Owner
29. Survey Map of Bryant's Brook Condominium, dated January 7, 1987, prepared by Ryan & Faulds, signed by Doug Faulds
30. Site Map, dated January 7, 1987 with locations of felled trees, prepared by Ryan & Faulds, signed by Doug Faulds
31. Watershed Map, dated March 17, 2021, prepared by Town of Wilton GIS
32. Landscape Remediation Plan, dated February 24, 2021, prepared by Peter C. Hart & Associates
33. Planting Notes, undated, unknown preparer
34. Narrative, undated, prepared by Daniel O'Neill
35. Soil Investigation Report, dated March 3, 2021, prepared by Soil & Wetland Science, LLC, signed by Otto Theall
36. Soil Survey Sketch Map, dated March 3, 2021, prepared by Soil & Wetland Science, LLC
37. Email from Owner to Staff, dated April 6, 2021
38. Email from Staff to Commissioners, dated April 6, 2021

This permit is subject to the attached General Conditions and the following Special Conditions:

1. Prior to the commencement of any on-site permit related activity, the applicant shall submit an estimate for the cost of the planting plan for approval by this commission or its staff for the purpose of determining a bond amount.
2. Prior to the commencement of any on-site permit related activity, the applicant shall post a bond in a form and an amount acceptable to this commission and town counsel. The portion of the bond attributed to the planting plan shall be eligible for release at the end of the second full growing season after the planting plan is fully implemented. In the event the applicant fails to properly implement and maintain the planting plan or, the erosion and sedimentation control plan, the Town reserves the right to use the bonded funds to correct such deficiencies.
3. The approved Planting Plan shall be fully installed no later than May 31, 2021.

**GENERAL CONDITIONS IN THE ISSUANCE OF ALL WILTON INLAND WETLANDS  
COMMISSION PERMITS**

1. The permittee shall notify the Director of Environmental Affairs 24 hours prior to the commencement of work and upon its completion.
2. If the authorized activity is not completed on or before 4/22/26 said activity shall cease and, if not previously revoked or specifically extended, this permit shall be null and void.
3. No equipment or material including fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.
4. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this permit.
5. Prior to commencement of any construction, including road, accessways, drainage systems, and lots, each and every general contractor and subcontractor employed by the applicant or subsequent purchaser shall execute a document in the form annexed indicating that the contractor or subcontractor has fully familiarized itself with and understands the Wilton Inland Wetlands and Water Courses Regulations as they apply to its project, and with the terms of the permitted activity, including the general and special conditions which pertain.
6. The permittee shall employ best management practices, consistent with the terms and conditions of this permit, to control storm water discharges, to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Director of Environmental Affairs. The permittee shall immediately inform the Commission of any problems involving wetlands or watercourses which develop during the course of, or which are caused by, the authorized work.
7. In evaluating this application, the Commission has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit shall be modified, suspended or revoked.
8. Nothing in this permit shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the Town of Wilton, State of Connecticut and the Government of the United States, including any approval required by the Connecticut Department of Environmental Protection and the U.S. Army Corps of Engineers. Obtaining such assents, permits or licenses is the sole responsibility of the applicant.
9. This permit is subject to and does not derogate any present or future property rights or other rights or powers of the Town of Wilton, conveys no property rights in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state and local activity affected hereby.
10. This authorization is not transferable without the written consent of the Wilton Inland Wetlands Commission.
11. Where applicable, the oil tank shall be above ground or in the basement of the dwelling.

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### **CONTRACTOR AGREEMENT**

RESOLUTION NUMBER: 0421-27WET

WETLANDS PERMIT NUMBER: #2671

As a contractor/subcontractor engaged by \_\_\_\_\_ to perform the regulated activities described in Wilton Inland Wetlands Commission Permit referenced above, I am familiar with the applicable State and Town of Wilton Inland Wetlands and Water Courses Regulations and the Permit, and will comply with all the conditions therein.

Work will commence on or about \_\_\_\_\_ and will be completed within \_\_\_\_\_ weeks.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Signature

\_\_\_\_\_

Date Signed

MAIL TO: Wilton Inland Wetlands Commission  
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### **LEGAL NOTICE - PUBLISH ONCE**

The Wilton Inland Wetlands Commission took the following ACTION on April 22, 2021

**GRANTED** with conditions, Wetlands Application **WET#2671 – O’NEILL** – “corrective action” to address unauthorized tree removal within a regulated area at 48 Sharp Hill Road #2, Wilton, CT (Assessor's Map#57, Lot #74).

The full record of the Commission’s action is available for public review at its offices in the Town Hall Annex at 238 Danbury Road, Wilton, CT.

Dated this day of April 30, 2021 at Wilton, CT

Claudia Avallone  
Secretary