

Town of Chester
203 Middlesex Avenue
Chester Connecticut 06412-0218



telephone: 860-526-0013
facsimile: 860-526-0004
web page: chesterct.org
e-mail: info@chesterct.org

CHESTER ZONING BOARD OF APPEALS (ZBA)

To be completed by Zoning Officer:

Submission date: _____
Next ZBA meeting: _____
Fee paid: _____ Check #: _____
Variance #: _____

Application for Variance Renewal / APPEAL

To be completed by Applicant:

1. Date: 2/20/2020
2. Applicant
 - a. Name: William and Angela Ruel
 - b. Physical Address: lot 29 map 5 Castlevew Drive Ext.
 - i. _____
 - c. Mailing Address (if different): 70 Mile Creek Rd. Old Lyme Ct. 06371
 - i. _____
 - d. Phone: 860-575-8118
 - e. Email: ~~wmruel@yahoo.com~~ bill.ruel@yahoo.com
3. Is the Applicant a (circle one):
 - a. Individual Partnership LLC Corporation Other
 - b. If "Other" please specify: _____
4. Is the Applicant the (circle one):
 - a. Owner Tenant Prospective Buyer Agent for: _____
5. Property Owner's Name: (same as applicant)
 - a. Name: William and Angela Ruel
 - b. Physical Address: _____
 - i. Lot 29, Map 5 Castlevew Dr. Ext. Chester Ct.
 - c. Mailing Address (if different): _____
 - i. 70 Milecreek Rd. Old lyme Ct 06371
 - d. Phone: 860-575-8118
 - e. Email: _____
6. Property for which a Variance or Appeal is requested:
 - a. Tax Map #: 5 Lot #: 29 Zone: R-2
 - b. Street Address Castlevew Dr. Ext.
7. Is this an application for an Auto Repair, Auto Sales, or Parking Operation?
 - a. Yes: _____
 - b. No:

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8. This application is seeking (please check only one):
- a. Variance from the Chester Zoning Regulations renewal ANN APPEAL
 - b. Appeal of a decision of the Chester Zoning Compliance Officer: _____
9. Complete this section for a Variance application:
- a. Specify the exact section(s) of the zoning regulations for which the variance is sought:
 - i. Section #: (e.g. 60-B) Section name: (e.g. Required Characteristics)
 - ii. Section #: _____ Section name: _____
 - iii. Section #: _____ Section name: _____
 - iv. Section #: _____ Section name: _____
 - v. Is an additional sheet of paper attached listing more Sections? No Yes
 - b. Specify the conditions affected (e.g. front/side/rear setback, area, use, etc.):
 - i. 50 Ft. setback from the Connecticut River in order to retain a viable building lot of a 3 bed residence, septic, and well. Variance approved 2005
10. If this is a request for a variance of Section 60-B (Required Characteristics) then provide the following information if it applies to your requested variance:
- a. Front Setback:
 - i. Required as per relevant Zone (e.g. R-2: Residential-2 acre): _____ feet
 - ii. Proposed linear encroachment into setback: _____ linear feet
 - iii. Proposed square feet of encroachment: _____ square feet
 - iv. Maximum height of the proposed structure in the setback: _____ feet.
 - b. Side Setback:
 - i. Required as per relevant Zone (e.g. R-2: Residential-2 acre): _____ feet
 - ii. Proposed linear encroachment into setback: _____ linear feet
 - iii. Proposed square feet of encroachment: _____ square feet
 - iv. Maximum height of the proposed structure in the setback: _____ feet.
 - c. Rear Setback:
 - i. Required as per relevant Zone (e.g. R-2: Residential-2 acre): _____ feet
 - ii. Proposed linear encroachment into setback: _____ linear feet
 - iii. Proposed square feet of encroachment: _____ square feet
 - iv. Maximum height of the proposed structure in the setback: _____ feet.
 - d. Maximum Building Coverage (%):
 - i. Required as per relevant Zone (e.g. R-2: Residential-2 acre): _____ %
 - ii. Square feet of building lot: _____ square feet
 - iii. Current coverage (all structures): _____ square feet; _____ %
 - iv. Proposed additional coverage: _____ square feet; _____ %
 - v. Proposed total coverage: _____ square feet; _____ %

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11. Provide a detailed description of the project or proposal:

- a. Re-approval of the current site plan (unchanged from original) See attached plan

b. *Is an additional sheet of paper attached proving additional detail?* No Yes

12. Why would strict application of the zoning regulations create a legal hardship?

(Please read and understand the definition of a "legal hardship" as defined in the zoning regulations, with particular attention to the "Preamble" section of the regulations. The ZBA cannot grant a variance unless a legal hardship can be demonstrated.)

- a. **Without a renewal and continuance of the current 50 ft. setback from the Connecticut River, said land becomes unusable and it's value becomes severely diminished.**

b. *Is an additional sheet of paper attached proving additional detail?* No Yes

13. Why is the hardship unique to your situation and not shared by others in the neighborhood?

- a. **It is the only remaining piece of land on Castlevew Dr. that borders the Connecticut River**

b. *Is an additional sheet of paper attached proving additional detail?* No Yes

14. If the variance were to be granted, how would it affect the character of your neighborhood?

- a. **It would continue to permit a home to be built similar to the homes that currently exist on that end of Castlevew Dr. Ext.**

b. *Is an additional sheet of paper attached proving additional detail?* No Yes

15. If this is an Appeal of a decision by the Zoning Compliance Officer (ZCO), then describe the conditions and basis of the appeal:

- a. see attached

b. *Is an additional sheet of paper attached proving additional detail?* No Yes

16. Is any portion of the property within 500 feet of another town's boundaries?

- a. Yes No

b. If Yes, then list the name(s) of the town(s): _____

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17. If the requested variance relates to the operation of a business, then:

- a. List hours of operation: _____
- b. Provide a plan showing the location, size and construction of all signs.
- c. If the business sells vehicles, what is the maximum number of vehicles to be displayed: _____.

18. List any improvements on the subject property since January 11, 1969, the date of inception of the Town of Chester Zoning Regulations. This list should include residential dwelling, out buildings, septic systems, wells, etc. Include the date and brief description of each improvement.

- a. No improvements, lot is vacant.
- b. *Is an additional sheet of paper attached proving additional detail?* No Yes

19. List any variances granted for the subject property since January 11, 1969. Indicate the date of each variance, applicable Chester Zoning Regulations section numbers, description of improvements for which the variance was obtained, name of property owner when the variance was granted and the volume and page number of the Chester Land Records where the variance is recorded. Attach copy(s) of variances recorded in the Land Records.

- a.

June 20, 2005, Section 90D, (Gateway Buffer area) conditions: none Joseph Barnick
--
- b. *Is an additional sheet of paper attached proving additional detail?* No Yes

20. Application Fees Due:

Item	Unit Cost	Units	Amount
State of Connecticut Department of Environmental Protection	\$60.00	1x	\$60.00
Town of Chester (covers cost of publishing public notices of meetings and decisions in <i>The Hartford Courant</i> , the official newspaper of record, and stenographic services)	\$265.00	1x	\$265.00
Postage for legal notice to surrounding neighbors within 500 feet. Fill in the number of surrounding neighbors and the total amount required for postage	\$1.66 1.84		\$1.84
TOTAL to be paid with your Application: (Make checks payable to "Town of Chester, CT")	---	---	\$326.84

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21. Checklist:

a. Before you submit your application to the ZBA:

- i. Do you understand the zoning regulations and "legal hardship"?
- ii. Have you met with the Zoning Compliance Officer?

b. To be submitted with your application to the ZBA:

- i. Plot plan drawn to scale (an A-2 survey is preferred but not required) showing entire property, location of all buildings, septic system, wells, and other structures and infrastructure, setback lines, existing and proposed structures, watercourses, and location of any items relevant to the hardship claimed. Include elevation contour lines if relevant to your application.
- ii. Elevations (side views) drawn to scale of your proposed project (if applicable) in sufficient detail to understand what is proposed and how it relates to the existing structure(s).
- iii. Tax map of surrounding property owners within 500 feet.
- iv. List with names and addresses of property owners within 500 feet.
- v. Deed to property.
- vi. Tax Assessor's field card.
- vii. Copy of Inland Wetlands permit letter, if applicable.
- viii. Copy of Coastal Site Plan, if applicable
- ix. Twelve (12) collated & bound copies of your application & attachments
- x. Filing fees (see above).
- xi. You or your Agent should attend the ZBA meeting when you submit your application so you can answer any questions. This will help to ensure an efficient Public Hearing of your application at the next monthly meeting. This will also give you an opportunity to how the Public Hearing process works for other applicants.

c. To be available at the Public Hearing of your application:

- i. The Applicant or the Applicant's Agent must attend the Public Hearing of your application.
- ii. Applicants/Agents may bring any additional information, materials, experts or advisors they wish. Applicants are encouraged to seek professional assistance from attorneys, engineers, architects or others as relevant to the proposal, but are not required to do so. Please note: Any materials presented at the Public Hearing must be retained by Chester Town Hall as part of the public record.

Signature of Applicant: William Ruel Date: 2/20/20
(required)

Printed Name of Applicant: William Ruel and Angela Ruel

Signature of Property Owner: William Ruel Date: 2/20/20
(required)

Printed Name of Property Owner: William Ruel and Angela Ruel

We would like a confirmation our variance does not cease for these reasons:

ZBA granted this variance in 2005 it states:

“Conditions: None”

It has no cessation date

It is recorded on the Deed as “Assigned Forever”

This was a unique variance. It wasn't a homeowner wanting to put on an addition and need a variance.. Since pre 1965 (See Map) it was a buildable lot not requiring a variance. There was no intent to build immediately when in 2004, a new zoning regulation doubled setbacks rendering it unbuildable.

In 2005 Chester's ZBA with the authority to vary any zoning regulation (Sect 140G-2) granted the variance **to continue its “Prior use”** as a building lot, to avoid a “Taking” and to comply with Zoning Reg. 10.A which says zoning regulations must comply with CT General Statutes Sect. 124.

Specifically:

CGS Chapter 124: 8-2 (a) “Prior Use” Zoning regulations shall not prohibit the continuance of any nonconforming use, or building existing at the time of the adoption of such regulations.

Cessation of a variance granted for “Prior Use” violates state law:

CGS Chapter 124: 8-2 prohibits municipalities from placing time limits on nonconforming use existing at the time of the regulation or require a special permit or special exception for any such continuance. Such a regulation shall not provide for the termination of any nonconforming use solely as a result of a nonuse for a specified period of time

John Bennet concurs:

He told Attorney V. Votto “Variance cessation Reg. 140J is unenforceable”

J. Brown has told Attorney J. Marsh “John Bennet believes variance cessation regulation is unenforceable”.

Essex is the only other town in the state with a variance cessation regulation but Essex ZCO Joseph Budrow said it is not enforced because it conflicts with state law and they are in process of rewriting it.

We believe our variance is the first and only time a variance has ever been ceased in Chester.. despite the regulation being on the books for decades.

ZBA has the authority to vary any zoning regulation (Reg. 140G. 2) ...” If application of the regulation does not conserve the property value and creates an undue hardship.

IF the right to build ceases It does not conserve the property’s value. Buyers want a guarantee it will be buildable.

It hasn’t sold after 12+ years despite a 35%+ price drop.

3 purchase contracts have been cancelled with the buyers concerned the variance was questionable.

We just had a “Fire Sale” offer at \$160K we paid \$460K because the variance was expiring soon. (Have values dropped 70% over last 12 years?)

IF the right to build ceases It creates an unusual hardship:

When the ZBA granted the variance the Gateway Commission sued the ZBA. After 2 years the Superior Court ruled in favor of the ZBA. (Article attached)

If the variance ceases every 1-2 years, Gateway would have to approve every renewal. If they don’t it would be considered a “Taking” and Chester would have to purchase my property.

The ZBA granted the variance without a cessation date and specifically “Conditions: NONE” to avoid future conflicts with Gateway.

ZBA has the authority to decide appeals where it is alleged that there was an error in a decision by the ZCO (Reg. 140G.1)

ZCO's ceased the variance because "The dwelling didn't exist within 1 year"

BUT...our variance application never included dwelling plans not even dimensions for one. Only an engineered site plan delineating new negotiated minimum setbacks and trees not to remove.

We believe the ZCO overlooked the variance was granted to maintain its prior "Use" as a buildable lot and the if the "USE" existed within 1 year of the variance it should not have ceased.

"140J. TERMINATION OF VARIANCE. Except as provided in 140K, the authorization of a variance shall terminate: If the USE or improvement so authorized shall not have actually existed for, a period of one year from the date of cessation or from the effective date of the grant of such variance, whichever is later;

Its "USE" as a buildable lot did exist within 1 year.

Proven by it being taxed for Use as a "Buildable lot" not "Unbuildable Wetlands".

Summarize..

The variance was granted without a cessation date specifically stating “No conditions” and recorded on the deed as “Assigned forever” to comply with town zoning reg. and state law.

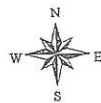
ZBA can/did vary a zoning regulation because strict adherence diminishes the land’s value and creates an undue hardship.

ZBA can decide if the ZCO made an error interpreting the very difficult to understand reg. 140J. The ZCO was looking for a dwelling when the application did not include plans for a dwelling, not even dimensions for one. It was granted to maintain the land’s “Prior use” that preexisted a 2004 regulation and that right is protected by state law. That “Use” did exist within 1 year as it was taxed on the value of a buildable lot so it did not violate 140J which says the “Improvement OR Use has to exist within 1 year”



Town of Chester

Parcel Number: 5/29
 Street Address: CASTLE VIEW DR
 Radius: 500



50 0 50100 Feet



This map is for assessment purposes.
 It is not valid for legal description or conveyance.

415 IVES ST
NORTH HAVEN CT 06473
Property at:
Map/Lot: Vol/Pg: 0091/0193

NELSON JEFFREY M + PATRICIA M
226-3 MIDDLESEX AVE
CHESTER CT 06412
Property at: 226-3 MIDDLESEX AVE
Map/Lot: 5/23 Vol/Pg: 0098/0482

ZOCCO CHESTER C + PERTRINA M
177 HIGHLAND ST
ROCKY HILL CT 06067
Property at: 226-8 MIDDLESEX AVE
Map/Lot: 5/13 Vol/Pg: 0081/0622

KLOCKNER DORIS F REVOCABLE TRUST
%KLOCKNER DORIS+JOSEPH
35-14 CASTLEVIEW DR
CHESTER CT 06412
Property at: 35-14 CASTLE VIEW DR
Map/Lot: 5/32 Vol/Pg: 0087/0219

MATZ LOU + VICTOR
P. O. BOX 306
CHESTER CT 06412-0306
Property at: 226-4 MIDDLESEX AVE
Map/Lot: 5/17 Vol/Pg: 0128/0274

BOTTI BARBARA D
35-10 CASTLE VIEW DR
CHESTER CT 06412
Property at: 35-10 CASTLE VIEW DR
Map/Lot: 5/33 Vol/Pg: 0112/1062

EASTERN COMPANY THE
112 BRIDGE ST
PO BOX 460
NAUGATUCK CT 06770
Property at: CASTLE VIEW DR
Map/Lot: 5/24 Vol/Pg: 0102/0959

BOTTI BARBARA D
35-10 CASTLE VIEW DR
CHESTER CT 06412
Property at: CASTLE VIEW DR
Map/Lot: 5/34 Vol/Pg: 0055/0403

ROSS DANIEL J
345 E 56TH ST APT 14J
NEW YORK NY 10022
Property at: 35-18 CASTLE VIEW DR
Map/Lot: 5/30 Vol/Pg: 0126/0687

~~NUCCI JONATHAN V IRREVOCABLE TRU~~
35-16 CASTLE VIEW DR
CHESTER CT 06412
Property at: 35-16 CASTLE VIEW DR
Map/Lot: 5/31 Vol/Pg: 0103/0522

THOMAS J. NOBREGANO

To all People to Whom these Presents Shall Come, Greeting:

Know Ye, that We, JOSEPH BARNICK, JR., JUSTINE BARNICK NKA JUSTINE B. ZIMMERMAN AKA JUSTINE D. ZIMMERMAN and KERRI BARNICK NKA KERRI PHILLIPS, all residents of the Town of North Haven, County of New Haven and State of Connecticut, herein designated as the Grantors, for the consideration of FOUR HUNDRED SIXTY THOUSAND DOLLARS (\$460,000.00) received to the full satisfaction of the Grantors from WILLIAM RUEL and ANGELA RUEL, both residents of the Town of Old Lyme, County of New London and State of Connecticut, herein designated as the Grantees, do hereby give, grant, bargain, sell and convey to the Grantees and to the Survivor of them and to such survivor's heirs and assigns forever

See attached Schedule "A"

1. Said premises being subject to building lines if established, all laws, ordinances or governmental regulations, including building and zoning ordinances affecting said premises and taxes on the list of October 1, 2006, which taxes the Grantee herein agrees to assume and pay as part of the consideration of the deed.
2. A 40-foot right of way in favor of Charles Castelli, et al, their heirs and assigns, in the northwesterly part of said land as set forth in a warranty deed from Charles Castelli, et al to C. J. Bates & Son, Incorporated, dated February 3, 1964, and recorded in said Land Records in Volume 33 at Page 263, being more particularly bounded and described therein.
3. A Mutual Grants of Rights of Way dated June 11, 1964, by and between Johnson and Johnson Realty Company, Incorporated and Thelma Johnson, et al, and recorded in Volume 33 at Page 477 of the Chester Land Records, as affected by instruments recorded in Volume 35 at Page 28 and Volume 38, Page 329 of the Chester Land Records.
4. An easement to Southern New England Telephone Company dated June 11, 1964 and recorded June 12, 1964 in Volume 33 at Page 481 of the Chester Land Records
5. A pole line easement from Johnson & Johnson Realty Co., Inc. to The Connecticut Light and Power Company dated June 26, 1964, and recorded in Volume 33 at Page 497 of the Chester Land Records "...on any or all of the private or public streets or passways now or hereafter laid out or located on..." premises of said Johnson & Johnson Realty Company.
6. The right to discharge water from land of Johnson and Johnson Realty Company, Incorporated and from land of New York, New Haven and Hartford Railroad Company onto the premises as stated in a deed from Johnson and Johnson Realty Company, Incorporated to C. J. Bates & Son, Inc., dated January 1, 1969 and recorded in Volume 18 at Page 319 of the Chester Land Records.
7. Caveats by the Connecticut Water Company in Volume 38 at Page 202, Volume 82 at Page 590 and Volume 83 at Page 598 (regarding water mains and notice that charges will be payable on tie-in).
8. Mutual Easement Agreement between Sound Homes, LLC and Joseph Barnick dated August 9, 2004 and recorded August 30, 2004 in Volume 126 at Page 684 of the Chester Land Records.
9. Notice of Variance by the Town of Chester recorded July 20, 2007 in Volume 140 at Page 26 of the Chester Land Records.
10. A Memorandum of Decision dated March 9, 2007 to be recorded on the land records of the Town of Chester.

To have and to hold the premises hereby conveyed, with the appurtenances thereof, unto the Grantees and unto the Survivor's heirs and assigns forever, to their proper use and behoof; and the Grantors do for themselves, their heirs, successors and assigns covenant with the Grantees, and with the survivor of them and with such survivor's heirs and assigns, that the Grantors are well seized of the premises as a good indefeasible estate in FEE SIMPLE; and have good right to grant and convey the same in manner and form as herein written and the same are free from all encumbrances whatsoever, except as herein stated.

And Furthermore, the Grantors do by these presents bind themselves and their heirs, successors and assigns forever to WARRANT AND DEFEND the premises hereby conveyed to the Grantees and to the survivor of them and to such survivor's heirs and assigns against all claims and demands whatsoever, except as herein stated.

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, or if a corporation, it has caused those presents to be signed by its corporate officers and its corporate seal to be affixed hereto, this 16 day of August, 2007.

Signed, Sealed and Delivered in the presence of
or Attested by

Lawrence J. Greenberg
Lawrence J. Greenberg
Tracy L. Cobb
Tracy L. Cobb

Joseph Barnick, Jr.
JOSEPH BARNICK, JR.

Justine B. Zimmerman
JUSTINE BARNICK NKA JUSTINE B. ZIMMERMAN AKA JUSTINE D. ZIMMERMAN

Kerri Barnick nka Kerri Phillips
KERRI BARNICK NKA KERRI PHILLIPS

STATE OF CONNECTICUT)
COUNTY OF NEW HAVEN) SS: New Haven August 16, 2007

The foregoing instrument was acknowledged before me this 16 day of August, 2007 by: Joseph Barnick Jr., Justine Barnick nka Justine B. Zimmerman aka Justine D. Zimmerman and Kerri Barnick nka Kerri Phillips as their free act and deed, before me.

Lawrence J. Greenberg
LAWRENCE J. GREENBERG
Commissioner of the Superior Court

\$2,300.00 State Conveyance Tax Received
Sharon A. Eckman
Aest. Town Clerk of Chester

\$1,150.00 Conveyance Tax Received
Sharon A. Eckman
Aest. Town Clerk of Chester

Unique ID: 00007100

CHESTER

Card No: 1 of 1

Location:	CASTLE VIEW DR		Map/Lot:	5/29	Zone:	R-2	Date Printed:	03/02/2020	
911 Address:			Neighborhood:	Riv Front 2	Last Update:	11/21/2013	Valid:	YES	
Owner Of Record:	RUEL WILLIAM + ANGELA		Volume/Page:	0140 0378	Date:	Aug/30/2007	Sale Price:	460,000	
70 MILE CREEK RD	OLD LYME, CT 06371		Prior Owner History:						
BARNICK JOSEPH JR ETAL	0091 0193	Oct/28/1996	NO						
BARNICK JOSEPH JR ETAL	0089 0252	Dec/26/1995	NO						
GREENWALD INDUSTRIES-INC									
Permit Number	Date	Coat	New House	Status	%Comp	CO Issued	Est Completion	Reason for Change	
Census/Tract	6001								
Dev Map/Dev Lot				Code	Quantity	Value	Code	Quantity	Value
Date	11/24/1998			11-Res Land	1.20	210,310			
Inspector									
Action									
				Acres		Influence		Total Value	
Land Type	Acres	490	Rate	652,000	Adj	0.96	Influence	-52	300,442
House/Lot	1.20	0.00							House Lot
				Influence Reason		Shape or Size		Comment	
				Total		300,442			
Assessment History (Prior Years as of Oct 31)									
Current		2019		2018		2017		2016	
Land	210,310	210,310	210,310	233,860	233,860	233,860	Tillable A	Acres	Value
Building	0	0	0	0	0	0	Tillable B	Value	Acres
Outbuilding	0	0	0	0	0	0	Tillable C	Value	Acres
Total	210,310	210,310	210,310	233,860	233,860	233,860	Tillable D	Value	Acres
				490		Appraised Totals			
				300,442					
Comments									

Unique ID: 00007100

CHESTER

Location: CASTLE VIEW DR

Unit

9111 Address:

Map/Block/Lot 5/29

General Description

Description

Area/Qty

Value

Building Use

Unit

Overall Condition

Class

Stories

Design (Style)

Construction

Year Built

Percent Complete

Finished Area 0

Finished Area Does Not Include Finished Basement Area

Foundation

Basement Area 0

Basement Finish

Basmt Room Style

Basement Walls

Outside Entry

Basement Garage Bays

Sump Pump

HVAC

Heating Type

Fuel

Cooling Type

Interior

Floors

Attic Access

Walls

Fireplaces

Wood Stoves

Exterior

Exterior

Roof Cover

Roof Type

Special Features

Type

Yr Built

Condition

Area/Qty

Value

Total Building Value

Detached Component Computations

Type

Yr Built

Condition

Area/Qty

Value

Type

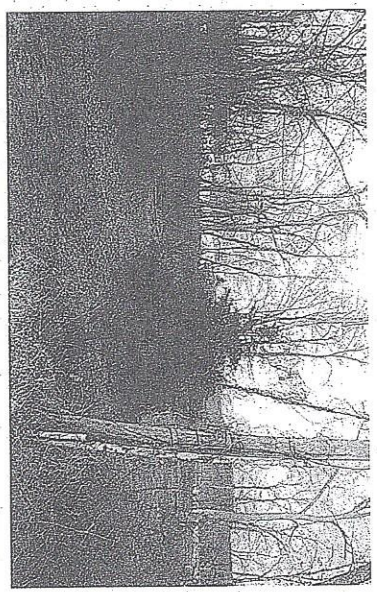
Yr Built

Condition

Area/Qty

Value

5-29 12/22/2012



Room Summary

Total Bedroom Kitchens Full Baths Half Baths

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Inland Wetland Permit

PERMIT NO. 19-12

ISSUED TO: Angela Ruel (owner/applicant)

This authorization refers to your application to conduct a regulated activity within the inland wetlands or watercourses in the Town of Chester.

The Chester Inland Wetlands & Watercourses Agency has considered your application with due regard for the criteria enumerated in Section 22a-41 of the Connecticut General Statutes and the Town of Chester Inland Wetland and Watercourses Regulations and has found that the proposed work, as specified and conditioned below, is in conformance with the purposes and provisions of said regulations.

The authorized activity consists of:

Renewal of Permit #14-01 for lot development on Castleview Drive.

This permit is subject to the following conditions and/or modifications:

1. This permit shall be valid for five years. Any regulated activity approved under this permit shall be completed within one year from the time such activity is commenced.
2. Upon initiation of any work or activity, including maintenance pursuant this authorization, the permittee thereby accepts and agrees to comply with the terms and conditions of this permit.
3. This permit shall not be assigned or transferred without the written consent of the Agency.
4. The permittee shall inform the Agency's Agent of the commencement and completion dates of all work authorized by this permit.
5. All work and regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit; and any structures, fill obstructions, encroachments, work or alterations of wetlands or watercourses not specifically identified and authorized herein shall constitute a violation of this permit which may result in its modification, revocation or suspension.

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6. This permit may be modified, suspended or revoked if the information provided by the applicant and utilized by this Agency is issuing this permit subsequently proves to be false, deceptive, incomplete and/or inaccurate.

Inland Wetland Permit #19-12 Angela Ruel

7. The permittee shall immediately inform the Agency of problems involving erosion and sedimentation and/or pollution of any wetland or watercourse, which develop in the course of, or are caused by the work authorized herein.

8. No equipment or material including fill, construction materials, or debris utilized and/or produced in the course of carrying out the work authorized herein shall be deposited, placed or stored in any wetland or watercourse either on site or off.

9. For the purposes of monitoring authorized activities, the Agency, or its Agent, shall have the right of ree access to any portion of the property affected by this permit.

10. This permit is to be displayed conspicuously at the place of activity.

11. S and E controls must be installed prior to and during the actual work. Pages 7-31 through 7-35 of "Ct. Guidelines for Soil Erosion and Sediment Control" shall be incorporated as part of the construction drawings.

Anna Shubik Sweeney
Wetlands Compliance Officer