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March 28, 2024

Proposed Mitigation Actions for the Violations in the Existing Conservation Easement (CE) at 150 Chatham Hill Road, Glastonbury, CT (as of October 13, 2023)

Actions the Applicant is proposing to mitigate the violations:

1. Provide a proposed northern conservation easement (CE) over a portion of the wetlands area as depicted on the plan revised to 3-28-24 provided with this document.
2. Relocate the portion of the gravel pathway located within the existing CE north of the stone wall as depicted on the plan.
3. Move the irrigation box out of the CE.
4. Allow the few apple trees encroaching at the edge of the CE to remain.
5. Plant several trees on the north side of the wall as depicted on the included plan and cut down the one dead tree.
6. Add tree plantings to the existing approved herbaceous and shrub planting plan proposed for the wetlands located at the northern portion of the property as depicted on the included plan.
7. Add northern wetland & pond edge planting mix around the pond.
8. Limit mowing of the existing lawn to the outside of the proposed northern CE boundary.

Actions the Applicant is requesting to complete the project:

1. Maintain a grass walking path through the CE aligned with the existing gap in the stone wall to be used as walking access to the proposed agricultural barn, and also as an accessway to install/maintain a permanent underground irrigation pipe from the pond to the irrigation junction box for the southern apple orchard areas.
2. Leave the stone splash pad and the existing drainage pipe which drains to the small pond, as currently configured.
3. Maintain grass mowing in the CE around the existing stone wall.
4. Leave the electrical conduit pipe currently installed within the stone wall.
5. Bring underground electrical service through the farm road accessway to the proposed agricultural barn.

Applicant’s Comments:

In response to the ongoing matters between Mr. Jusko and the Glastonbury Inland Wetlands & Watercourses Agency I have met with Mr. Paul Gondek, Mr. Jusko and my associate, Todd Clark, L.S. To discuss the conditions of the property at 150 Chatham Hill Road, the expectations of the Agency and Mr. Jusko’s concerns for his property.

* With the approval of the Glastonbury IWWA, repairs of the pond outlet structure were performed and completed Thursday January 25th, 2024.
* Mr. Jusko is preparing for farming use of the property by planting fruit trees and berry bushes and is proposing modifications to the site plan to properly maintain that use.
* Todd Clark has depicted the proposed modifications on the site plan dated: 5-19-23 and revised to 2-5-24, I have made additional modifications to the plan with the latest revision date of 3-28-24 after additional discussions with Mr. Jusko.
* Mr. Jusko wishes to address the existing violations, while preserving the use of the property for agricultural purposes, and also meeting the agency’s goals.
* Mr. Jusko wants to preserve access to the property below the pond from Matson Hill Road for the proposed orchard and berry plantings and mowing purposes, he is proposing a reduced area for the northern conservation easement, while reserving a ten foot wide strip of land for access running along the easterly border of the property.
* Mr. Jusko still wants to construct a barn above the pond as depicted on the plan and wants to maintain access to the pond, barn area and orchard/farming areas via the access driveway that currently crosses the western corner of the conservation easement. Therefore, he is proposing modifying the easement as depicted on the plan, allowing the farm road access to the northern portion of the property.
* Mr. Jusko is concerned about the property value, loss of use of a portion of the property, potential tax consequences and the eventual sale ability of the property with the conservation easement and the IWWA conditions and restrictions on the property.

Respectfully,

Wayne Zirolli

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Wayne J. Zirolli, P.E. & L. S. #13297