

Inland Wetlands Application Attachment
Jeffrey Graves
40 Saltbox Lane, Uncasville
Narrative of Proposed Activity

Retaining Wall on Buffer Zone Approval - June 2024

In August of 2021, I purchased the above mentioned property and began the process of building a new home on the lot (it was a pre-approved building lot for the construction of a single family home). Part of this process was to have the land surveyed, and a zoning compliance survey was completed. This survey included information about the wetlands that are located on the property, as well as the upland buffer zone of 50 feet from the wetlands boundary. We applied for and received an Inlands Wetlands Permit (issued 11/18/21) which granted us permission to have our driveway constructed so that a portion of the driveway would pass over the upland review area.

In the months that followed, my family and I found ourselves in the horrible situation of having our contractor leave our job, stealing approx. \$80,000 of our construction loan money, and providing us with little more than a framed shell of a house.

In the process of everything, during the excavation and site-work stage, our property was constructed with a retaining wall which, completely unbeknownst to us, is located within the upland review area of our property. It does NOT sit on the wetlands themselves, but is located approximately _____ feet into the buffer zone. While silt fencing was used during the construction of the retaining wall to protect the wetlands area from erosion, our contractor apparently did not pay attention to the site map provided to him which indicated the location of the buffer zone. When we had the as-built survey completed and submitted to the Planning and Zoning department for their Certificate of Occupancy approval, this issue came to light and was a shock to me, as I assumed things had been constructed within the proper boundaries.

I am requesting a modification of our existing Inland Wetlands permit to include the acceptance of this retaining wall construction, and asking permission to have this retaining wall approved as-is, with the understanding that the proper permitting process was not undertaken by my contractor. We are pursuing action against him via the Department of Consumer Protection, but in the meantime we have been struggling for almost three years to finish this house and have a home for our family, which includes our four young children. We have needed to take out a second mortgage loan to have the funds to complete it, and we are finally in the very last stages of preparing to receive our Certificate of Occupancy. We do not have the funds necessary to remove this retaining wall, and doing so would be more of a disturbance at this point than simply letting it be. There is grass growing on the wall which provides erosion control.

The Planning and Zoning Department's approval, which is contingent upon this Wetlands application being approved, is the final thing that we need to obtain the Certificate of Occupancy and to actually be able to live in the home that we've been working so hard to complete.