

**ENFORCEMENT UPDATE  
ENVIRONMENTAL PROTECTION BOARD**

**Date:** June 17, 2024

**Location:** 28 Four Brooks Road

**Owner:** Luis Lopez & Maria Garcia

**Watershed:** Rippowam River

**Account:** 000-7222

**Flood Map:** 09001C0506F (6/18/2010)

**Flood Zone:** X (Area outside .2% annual chance floodplain)

**Area:** 1.2 acres

**Map/Block/Lot:** 76/377/A-1R

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**Unauthorized Regulated Activities**

Clearing vegetation from and filling in wetland/watercourse upland review area.

**Property Description**

28 Four Brooks Road is developed with a single-family residence, driveway, and accessory building. As shown on the attached GIS aerial image, the property slopes from east to west where a tributary of the Rippowam River flows to the south past the northwest side of the property before crossing the southwest corner of the site. A wooded swamp wetland of varying width borders the brook.

**Issues/Discussion/Recommendation**

The Board held a Show Cause Hearing on April 18, 2024 to consider a filling violation that took place at 28 Four Brooks Road. As a result of the testimony given at the hearing by staff, Mr. Lopez, and Mr. Lopez's consulting engineer Leonard D'Andrea, P.E., the Board maintained the Cease and Desist Order and required the immediate removal of fill to allow for installation of erosion and sedimentation controls to protect the nearby wetland and watercourse. The Board also set a June 14, 2024 deadline for submission of the results of analytical testing of the fill to determine if it contains any contaminants and for submission of a restoration plan.

As stated in the attached email from Mr. Lopez, the fill was pulled back from the wetland and the base of a number of trees, and the required erosion controls were installed on or about April 20<sup>th</sup>. Analytical testing of the fill is currently being conducted.

As stated in his email, Mr. Lopez is asking the Board for additional time to submit the test results and develop the restoration plan. Staff does not believe providing more time to Mr. Lopez will result in any wetland impact so long as the erosion controls continue to be maintained and any fill that remains around the base of impacted trees is removed.



Robert E. Clausi

## Clausi, Robert

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**From:** Luis Lopez <luislopez@chefluis.com>  
**Sent:** Thursday, June 13, 2024 6:04 PM  
**To:** Clausi, Robert  
**Subject:** 28 four Brooks

Good afternoon Mr Bob. Apologies for late email, just wanted to let you know the emergency work you requested was done 2 days after the zoom meeting, unfortunately because my financial situation, still working on the other requests.

I will give you and update as soon as I may.

My apologies again for causing this situation.

Best

Luis Lopez

Sent from my Verizon, Samsung Galaxy smartphone