

Re: 85 Cook Road Tony

From: Tony Macchiaroli (tonymacchiaroli@yahoo.com)

To: rema8@aol.com

Date: Monday, February 6, 2023 at 11:28 AM EST

George thanks for talking to me
Here are my note on the visit to Cook Road
I also included the file Observations Cook Road 1
Tony 860 459 0915

1-17-2023/2-6-2023

85 Cook Road New Documents Observations Cook Road 1

Observations Cook Road

Tony observation from our walk along Cook Road

On 1-17-2023 myself, Bill, Chris and George made a site visit to Cook road, we were met by representatives of Dark Entry and Greco.

Tony provided a written list of the alleged damages he was accused of.

We started our inspection at the intersection of Prichard Road and Cook Road. We walked the entire mile to residence of 85 Cook road.

Tony pointed out the following:

Greco did not own any of the property of the first portion of the road it was owned by Sears who lived on Prichard's road and Dark Entry.

The road was paved by Greco in 2004, Greco never filed for a wetlands permit to pave the road. Tony pointed out the small body of water within a few feet of the paved road.

In documents as early as 2004 there was correspondence between the Northwest Conservation Distract the town of Cornwall and Greco. Greco never received a wetlands permit and stated he replaced crushed drainage culverts under the road. He also stated that Sean Hayden could not determine wetlands because of the telephone trench that was dug along the length of Cook Road.

Tony pointed out where he had replaced the crushed drainage pipe going under the road in a number of places and pointed out the crushed pipe still on the side of the road.

Tony pointed out further up the road where he had not done any work where he thought that drainage should have existed and did not. This was also evident by drainage pipes that were removed and siting on the side of the road.

In an email Ian stated a few years before 2003, Dark Entry removed culverts that had directed steams away from Cook Road.

Ian suspects that those streams now flow down/across Cook Road

The building at 85 Cook road preexisted the building on Greco's property and Tony rightfully asked why Greco would have access to Cook Road when he supposedly did not.

Tony pointed out the underground phone line that went from Prichard's road along Cook road to the residence of 85

Cook Road.

When we arrived at the house on 85 Cook Road Tony pointed out that his driveway to the house intersected Cook Road. Tony also pointed out that there were two 1000 gallon propane tanks that were serviced by Airgas from 1979 to 2015. Airgas confirmed that the Propane deliveries were made using Cook Road to access the property.

Tony pointed out the telephone and land line that existed and was still operational.

Tony mentioned that the easement of the road was 50' and that the stone walls and fence Greco erected on his property were on the easement.

Allegations

- 1) Greco stated his portion of the road was widened from 12 to 15'

Tony showed that absolutely no work was done on Greco's property and any trees outside the 12' original width of the road had bark growing on the roots. Tony also pointed out that any rocks outside the 12' road bed still had moss growing on them.

Tony also stated that he had the right to the total 50' easement.

- 2) Greco stated that his fence was ripped down with a backhoe

Tony showed us the fence installed by Greco for the sole purpose of blocking Tony's access to his property. It was stated that he had the right to remove obstacles in his way and was actually arrested for the alleged damage he supposedly did to the fence. There was no evidence of any damage to the fence.

- 3) Greco stated that 30 Gallons of hydraulic fluid was spilled on his property.

There was no evidence indicating that any fluid was spilled on Greco's property.

There was however evidence pointed out that there was oil stains on the paved portion of the road where Greco had parked his truck to block the road. Greco had contacted DEEP who conducted a site visit and determined it was not necessary to take any soil samples, no spill was evident and no remediation was necessary.

- 4) Greco stated trees were damaged on his property

There was no evidence that any trees were damaged on Greco's property.

- 5) Greco stated tree roots were exposed which caused them to fall down

There was no evidence that any trees have fallen down on Greco's property

- 6) Greco stated soil was taken from his property.

Not only is there no evidence that any soil was taken from Greco's property there is no evidence that any work had taken place on Greco's property

- 7) Greco stated run off water was diverted to his property.

There was no evidence that any water was diverted to Greco's property

Establishing Dark entries property.

Dark Entry owns property to the center of Cook road from Prichard Road to the end of Greco property.

Dark entry owns from the center of Cook road on the left from Greco to 85 Cook Road.

- 1) Dark Entry stated that their fence was ripped down with a backhoe.

There was no evidence of any damage to any fencing.

- 2) Dark Entry stated that 30 Gallons of hydraulic fluid was spilled on his property.

Tony showed a map that indicated the area of where the alleged 30 gallon oil spill took place was not on Dark Entries Property. Never the less Tony took soil samples in the area and handed them out. There was no indication of any oil residue.

3) Dark Entry stated that there property was contaminated.

DEEP investigated the area and determined no remediation was necessary

4) Dark Entry stated trees on their property were ripped down with a backhoe

There was no indication that any trees were ripped down

5) Dark Entry stated trees on his property were cut down.

There was no indication that any trees were cut down

6) Dark Entry stated trees were damaged on their property

The trees that were supposedly damaged were dead standing trees

7) Dark Entry stated tree roots were exposed which caused them to fall down

Any trees with exposed roots were outside the 12' area, the roots on the trees had bark growing on them, which indicated the roots were exposed for a long time and most all of the trees were standing dead

8) Dark Entry stated soil was taken from their property and deposited on wetlands

Tony indicated even though the easement is 50' he did absolutely no work outside the 12' existing road bed.

9) Dark Entry stated run off water was diverted to their property.

Absolutely no water was diverted onto Dark Entries property. In matter of fact it has become apparent that Dark Entry had intentionally removed existing drainage that was along the road. This is apparent by the obvious ruts in the road and by excavated steal drainage pipes sitting on the side of the road. There is also evidence that trees have been cut down along the road and soil and trees have been stacked that implead the drainage of water off of the road.

10) Dark Entry stated that stone walls were removed from their property and used as fill.

There was no indication that stone walls were removed. Tony showed cases of where trees have fallen and dislodged stones. The area pointed out would not be considered a stone wall.

11) Dark Entry stated ponds were drained from their property

There were no ponds identified along the road

12) Dark Entry stated streams were diverted on to their property

There were no streams that were diverted.

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Bill Grickis Comment

It is my observation that the supposed damage claim is **preposterous** and **bordering on fraudulent** misrepresentations. I believe this conclusion is evident to the casual observer. I have brought up these points to Bill Fish.

None of the points Tony pointed out were contested by the representatives of Dark Entry of Greco.

I have also brought up your point on Right of way.

I think Tony's point about Greco's access deserves some consideration. Greco's deed for his 5 acre lot that sits behind a 5.1 acre lot with frontage on Pritchard Road does not convey any access rights, except for access over an adjacent lot for utilities ONLY. Their deed refers to a Survey Map which denotes the boundary line for the 5.1 acre lot and the Greco lot as the middle of Cook Road. The survey also states in the Notes that Cook Road is subject to the "access rights of others." [Map 414]

The 5.1 acre deed does not confer any easement rights over the land bordering Cook Rd or Cook Rd to Greco.

Therefore, Tony's point that Greco has not more alleged access to his property than Tony does, if Cook Rd. was truly abandoned, except as implied by the surveyor's Note cited above. Stated another way, if Greco has access to his property because he would otherwise be landlocked, then so does Tony.

Further of note, Dark Entry owns the property on the opposite side of Greco's property until his northerly boundary. Beyond that all of the land on the opposite side is now owned by the State until Tony's property. On the other side, north of Greco's property is all owned by Dark Entry.

There were no observations made that any CT DEEP regulations were violated.

On Sunday, February 5, 2023 at 07:57:22 PM EST, George Logan <rema8@aol.com> wrote:

That would be fine.

Thanks.

George T. Logan, MS, PWS, CSE

REMA Ecological Services, LLC

43 Blue Ridge Drive, Vernon, CT 06066

860-649-REMA (7362) (O) 860-883-8690 (C)

NOTE: Our office has moved from Manchester to Vernon, CT

On Sunday, February 5, 2023 at 07:51:43 PM EST, Tony Macchiaroli <tonymacchiaroli@yahoo.com> wrote:

I will give you a call around 10:00 is that ok.

[Sent from Yahoo Mail on Android](#)

On Sun, Feb 5, 2023 at 7:49 PM, George Logan
<rema8@aol.com> wrote:

Tony,

I apologize for not calling you. The day got away from me with some church duties and then visitors and grocery shopping, which all got me exhausted. Still recovering, I guess.

How about tomorrow sometime. What is good for you?

Best,

George T. Logan, MS, PWS, CSE

REMA Ecological Services, LLC

43 Blue Ridge Drive, Vernon, CT 06066

860-649-REMA (7362) (O) 860-883-8690 (C)

NOTE: Our office has moved from Manchester to Vernon, CT

On Saturday, February 4, 2023 at 07:10:31 PM EST, Tony Macchiaroli <tonymacchiaroli@yahoo.com> wrote:

George
Uou can call me over the weekend if you like.
Tony 860 459 0915

[Sent from Yahoo Mail on Android](#)

On Fri, Feb 3, 2023 at 8:21 PM, rema8
<rema8@aol.com> wrote:

Tony,

I will call you tomorrow. Thanks for the retainer. It arrived yesterday.

George Logan
860-883-8690

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone

----- Original message -----

From: Tony Macchiaroli <tonymacchiaroli@yahoo.com>
Date: 2/3/23 7:04 PM (GMT-05:00)
To: rema8@aol.com
Subject: 85 Cook Road Tony

rema8@aol.com

Hi George 2-3-2023

I am Tony Macchiaroli, I met you at 85 Cook Rode Cornwall I have been trying to give you a call and always get a busy signal. Can you send me your phone number of give me a call.
Tony 860 459-0915



Observations Cook Road 1.docx
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