Inland Wetlands &
Watercourses Commission

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TOWN OF SALISBURY
CONNECTICUT

Town Hall
P.O. Box 548
27 Main Street
Salisbury, Connecticut 06068

October 07, 2026

Seth J Churchill Trustee
Seth J Churchill Revoc Trust
144 Salmon Kill Road
Lakeville, CT 06039

Re: Cease and Correct Order #CODE-26-2 – 144 Salmon Kill Road, Salisbury

It has come to the attention of the Land Use Office that an operation involving alteration and the removal of material and clearing within 150 feet of wetlands and watercourses has been conducted at 144 Salmon Kill Road without the benefit of a permit. Specifically, vegetation removal, creation of a pond, and driveway construction has occurred adjacent to the Salmon Kill River.

The changes in vegetation, creation of the pond and driveway, and associated site work were observed from the Connecticut Aerial-Ortho imagery and photos associated with a 2026 real estate listing (see attached). The driveway was also observed from the public road (Salmon Kill Road).

In accordance with Section 6 of the Inland Wetlands and Watercourses Commission Regulations of the Town of Salisbury

6.1 No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Wetlands and Watercourses Commission of the Town of Salisbury.

6.2 Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Agency, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law.

As a result of the above-stated facts, the landowner (“Orderee”), who maintains the property on which the unpermitted work has occurred, has violated section 6.1 of the Town of Salisbury municipal wetlands regulations.

Therefore, the Town of Salisbury Inland Wetlands & Watercourses Commission orders the following:

1. Within ten days of receiving an estimate of the cost of consultants which the wetlands agency will retain, the orderee shall submit a check payable to the "Town of Salisbury" in such amount to cover the IWWC's cost in monitoring the orderee's compliance with this order, pursuant to Connecticut General Statutes § 22a-42a (e).

If the initial amount of the fee is insufficient to cover the cost of the agency's monitoring the orderee's compliance with this order, within ten days of the agency's notice to the orderee of an additional fee necessary to monitor compliance with the order, the orderee shall submit the additional requested amount. Any portion of the fee in excess of the actual cost incurred by the agency shall be refunded to the orderee no later than 30 days after the agency has determined the orderee is in compliance with all requirements of the order.

2. On or before October 14, 2026,
    a. Retain consultants acceptable to the Agency including soil scientist, surveyor, engineer, and environmental professional, needed to carry out the activities in this Order and shall so notify the Agency in writing.

3. On or before November 9, 2026 the orderee shall:
    a. Conduct a delineation prepared by a qualified soil scientist marking the limit of wetlands and watercourses on the site, as well as prepare a report including a classification and description of the inland wetlands and watercourses. <u>The report shall describe the functions and values of the wetlands on site</u>.

    b. Submit for the Commission's review and written approval a survey conforming to horizontal accuracy class A-2 documenting existing conditions, indicating the <u>flag locations set by the soil scientist and defining the boundaries of wetland soil types</u>.

4. Within 65 days after the Commission's approval of the documents required by item 3, the orderee shall submit for the agency's review and written approval a comprehensive and thorough report which describes the existing conditions and evaluates alternative actions which may be undertaken by the orderee to correct the unpermitted regulated activities.

    Such report shall:
    a. propose a preferred alternative or combination of alternatives with supporting justification therefor,
    b. provide a preliminary design submittal,
    c. state in detail the most expeditious schedule for performing each alternative and

d. propose a detailed schedule to perform all actions required to implement the preferred alternative, including but not limited to the start and completion date, or ranges of dates, of all proposed activities.

The agency may require further submissions prior to the granting of agency approval of the report. The agency may require the orderee to submit periodic status reports.

5. Upon the agency's approval of actions to be undertaken pursuant to an approved report submitted pursuant to item 3, the orderee shall undertake the approved activities in accordance with the approved schedule.

A show cause hearing will be held during the October 13, 2026 regular meeting of the Salisbury Inland Wetlands and Watercourses Commission at or after 6:30pm (held remotely via Zoom). The agenda, which will contain the zoom link and instructions for joining the meeting, will be available in the office of the Town Clerk and posted to the Town of Salisbury Website prior to the meeting at the following link: www.salisburyct.us/agendas/

Your anticipated cooperation in this matter is greatly appreciated.

Sincerely,

Miles Todaro
Inland Wetlands & Watercourses Commission Agent

Figure 1. Connecticut Aerial-Ortho 2023

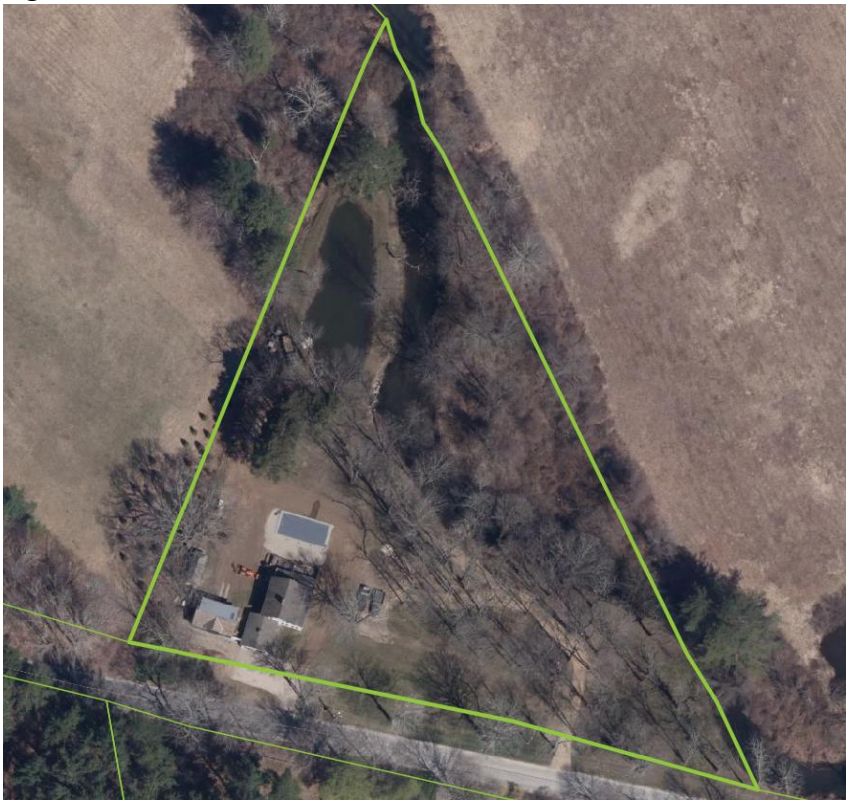

Figure 2. Connecticut Aerial-Ortho 2019

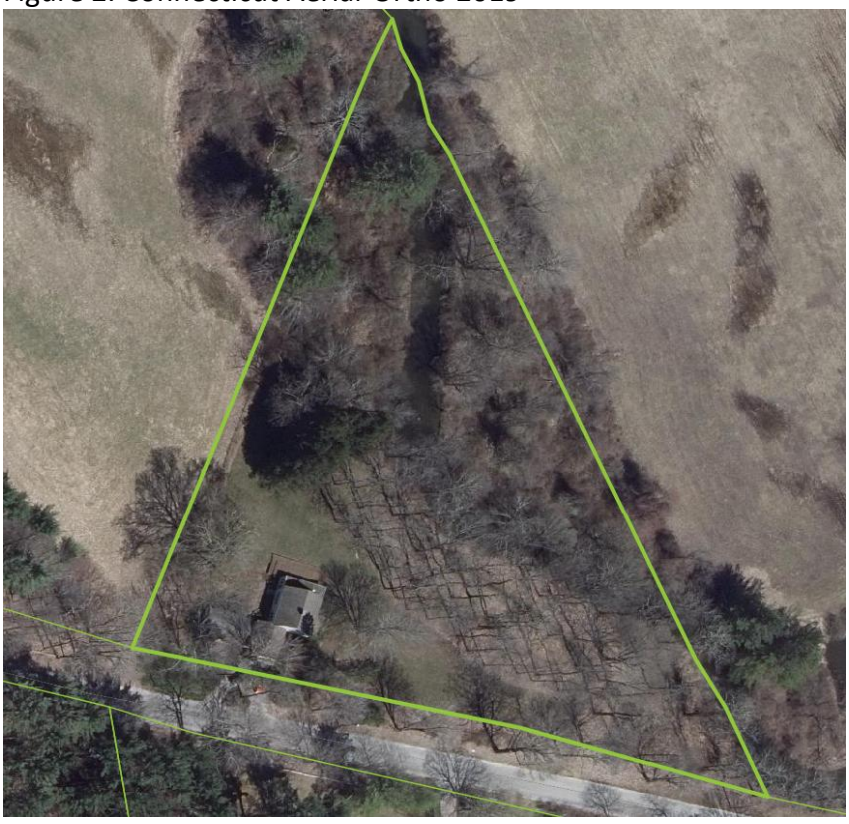

Figure 3. Real Estate Listing Photographs from www.harneyrealestate.com
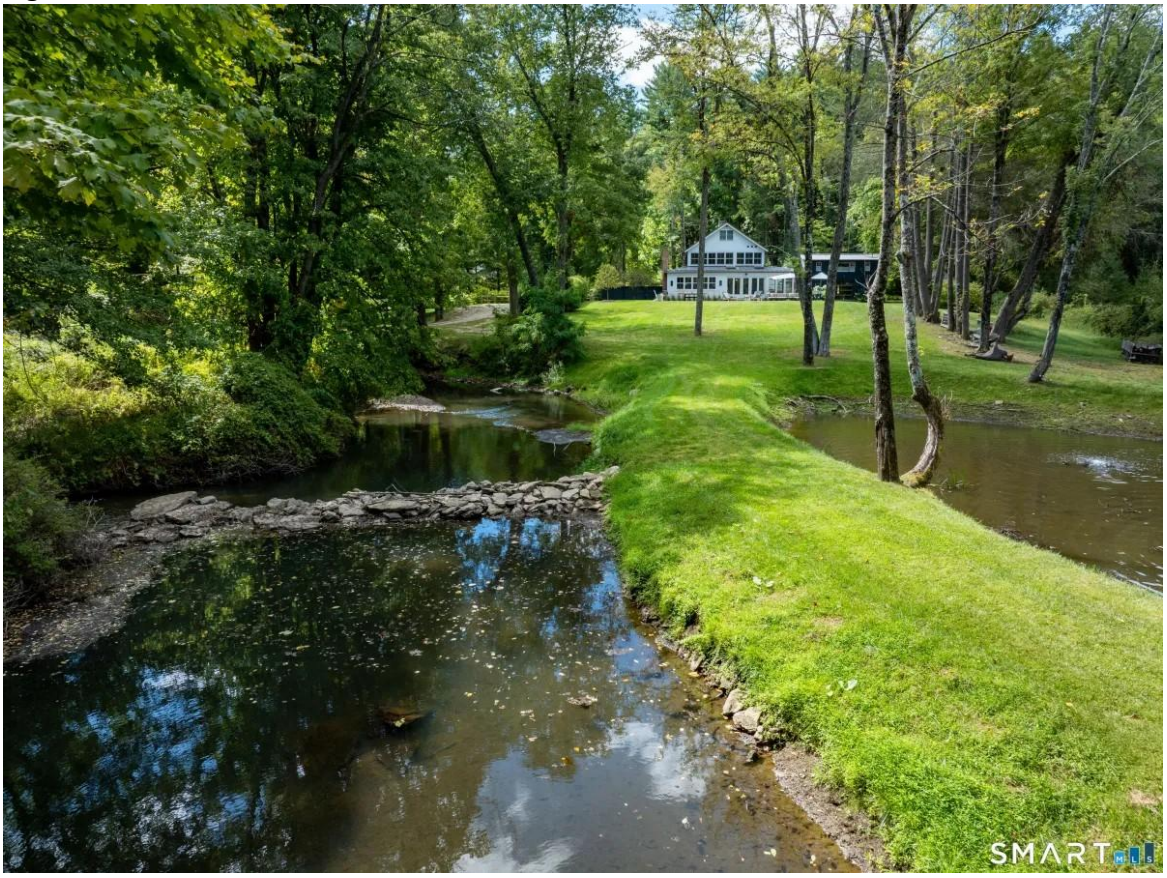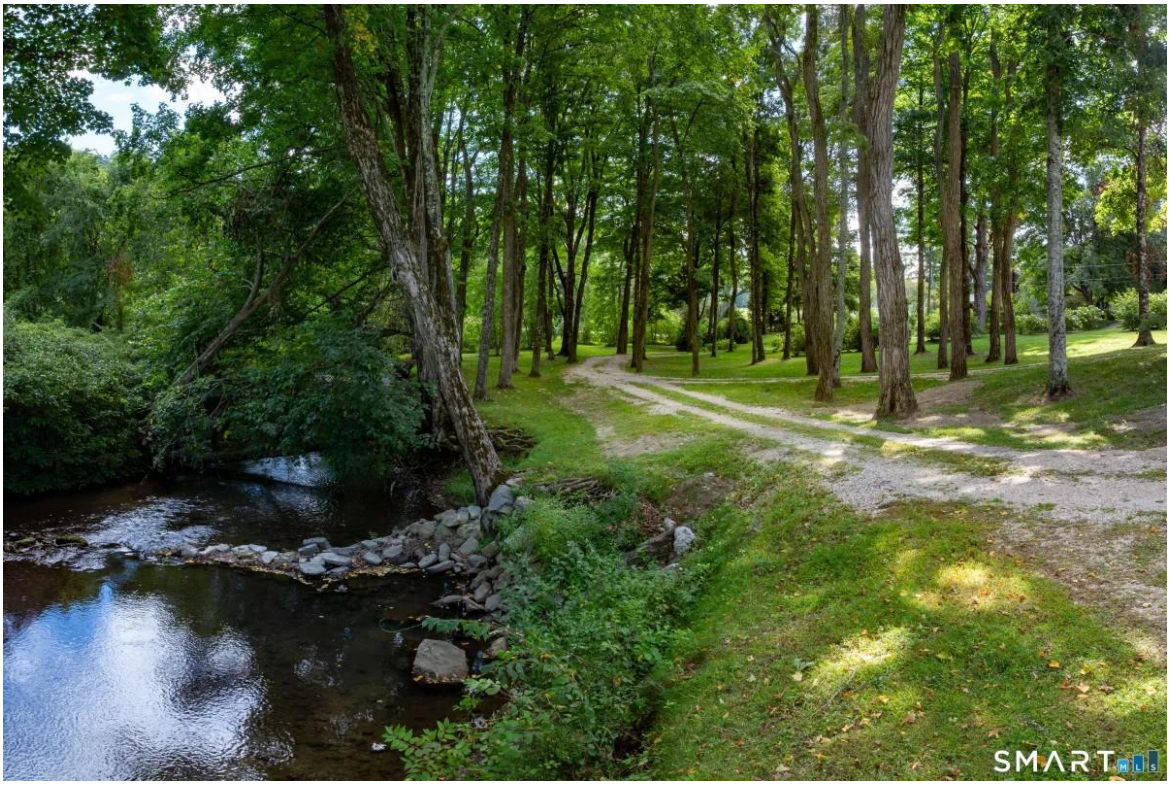
Figure 3. continued