INLAND WETLANDS & WATERCOURSES COMISSION

REGULAR MEETING

OCTOBER 13, 2026 – 6:30PM (REMOTE)

1. Call to Order. The meeting was called to order at 6:31pm.

2. Roll Call. Present: Vivian Garfein, Larry Burcroff, Sally Spillane, John Harney, Russ Conklin, Mike Lucas (Land Use Coordinator), Miles Todaro (Land Use Tech Specialist) and Georgia Petry (Recording Secretary). Absent: Maria Grace and Tracy Brown.
   Mike Lucas introduced himself as the new Land Use Coordinator in Salisbury. He was previously on the Land Use staff in New Hartford, CT.

3. **Approval of Agenda. So Moved** by L. Burcroff, seconded by S. Spillane, **With All in Favor**.

4. **Minutes of September 28, 2026. Motion to Approve** made by L. Burcroff, seconded by J. Harney, **With All in Favor**.

5. Public Comment – Selectman Kitty Kiefer commented that she was attending the meeting.

6. #IWWC-26-46 / 0 Farnum Road, the 13.5-acre property abutting 86+88 Wells Hill Road to the north / Map 36, Lot 08 / Owners: William and Angela Cruger / Applicant: William Cruger / Installation of a four foot no dig chain link fence / DOR: 10/13/2026
   M. Todaro screen shared the site plan with the wetlands delineation. V. Garfein asked if there is a picture in the file; M. Todaro noted that there is some confusion, but it is activity in the wetlands – the construction was started and stopped. L. Burcroff asked about the length of the fence. V. Garfein wants to have a lot more information about what is in the stream and noted that this is incomplete information. L. Burcroff asked about cutting vegetation and about the posts. Mr. William Cruger indicated that there were no photographs of the property and described the details of the fence as being roughly 598 linear feet. It was not clear if the fence crosses the stream, but it would be 3ft. on the sides of it; there would be no digging, just pounding in the posts. Mr. Cruger added that they were cleaning up fallen trees and using this opportunity. S. Spillane wants to see the placement of the poles near the stream and wetlands. Mr. Cruger commented that it would be within 300ft of a house on another property. Mr. and Mrs. Cruger commented that the stream is runoff from their property which is steep there. S. Spillane commented that they need a fuller application, including details from CT Fence regarding materials, and wants a drawing. (At this time, 6:52pm., the recording was started and M. Todaro recounted the details of the meeting from the 6:31pm. start.) V. Garfein asked that details be provided for

the next meeting. R. Conklin wants photos and a drawing of the fence and property. L. Burcroff wants details on how much cutting there will be. S. Spillane wants the information about the fence. The Crugers will work with M. Todaro on the details.

7. #IWWC-26-43 / 98 Interlaken Road / Map 39, Lot 15 / Owner: Interlaken Properties LLC / Applicant: Keith Bodwell P.E.L.S. / Replacement of Failing Septic System / DOR: 9/28/2026
   Mr. Bodwell described the plan for the new system which TAHD has approved. R. Conklin asked how long the site would be open; Mr. Bodwell answered about a week. A **Motion to Approve #IWWC-26-43, With the Standard Conditions**, was made by R. Conklin, seconded by S. Spillane, **With All in Favor**.

8. #IWWC-26-44 / 14 Prospect Mountain Road / Map 15, Lot 53 / Owners: Carlos & Linda Salas Humara / Applicant: Keith Bodwell P.E.L.S. / Replacement of Failed Septic System / DOR: 9/28/2026
   Mr. Bodwell described the plan, which does not have TAHD approval yet. V. Garfein noted that the application could be approved, conditioned on TAHD approval. A **Motion to Approve #IWWC-26-44, Conditioned on TAHD Approval, and with the Standard Conditions**, was made by S. Spillane, seconded by R. Conklin, **With All in Favor**.

9. #IWWC-26-40 / 419 Salmon Kill Road / Map 30, Lot 13 / Owner/Applicant: Angy Herrera / Patio, Retaining Wall, and Other Home Renovation Work in the Upland Review Area / DOR: 9/14/2026
   The applicant was not present; M. Todaro noted that a new document had been submitted. S. Spillane commented that there was no plan showing where the existing wall was or where the new wall has been built. M. Todaro noted that there had been a question about how the drainage is handled; the new document detailing the retaining wall system that was built was shown. R. Conklin commented that the lengths given in the new document were different from the sketch plan submitted; the length of the wall was 120 linear feet, not the 88 feet on the new document. V. Garfein wants to see a planting plan or some form of mitigation for building without a permit. S. Spillane wants to know where the drain is and wants an extensive planting plan with native plants. M. Todaro will notify the applicant of their requests.

Show Cause Hearing

10. #CODE-26-2 / 144 Salmon Kill Road / Map 11, Lot 37 / Owner: Seth J Churchill, Trustee of the Seth J. Churchill Revocable Trust / Shaw Cause Hearing regarding Cease and Correct Order for 144 Salmon Kill Road issued on October 7, 2026.
    M. Todaro gave the presentation of the Order; the work was done within 150 feet of wetlands and watercourses, without a permit. Vegetation removal, creation of a pond, and driveway construction has occurred adjacent to the Salmon Kill River. The evidence and details of the Order were described. (The Order may be viewed at:

https://www.salisburyct.us/wp-content/uploads/2026/10/Cease-and-Correct-Order-CODE-26-2.pdf) S. Spillane asked if it the same pond that the IWWC heard about a few years ago, regarding mowing; Mr. Churchill answered yes. L. Burcroff pointed out that clearing had been done around the pond; Mr. Churchill responded yes, there had been brush clearing and that it was done before the pond went in. M. Todaro noted that the creation of the pond, without IWWC approval, is also a wetlands violation; Mr. Churchill responded that he knew it was a violation. V. Garfein commented that they can deal with the Cease and Correct Oder and asked if the IWWC wants to approve that Order; S. Spillane wants to approve the Order. Mr. Churchill commented that he had added the pea stone to the driveway and admitted to the violation. R. Conklin commented that he was uncomfortable without background information; the details are needed, along with recommendations from experts and the chronology. V. Garfein commented that experts need to be brought in to determine what was done and what needs to be done; that is the process and they will decide. M. Todaro noted that there are 3 ways to handle the Order; the Oder could be approved, as written; the Order could be withdrawn; or the Order could be approved with revisions. L. Burcroff asked if there was a way to go back to the original work on the pond; V. Garfein commented that is the job for the experts to do, not the IWWC. M. Todaro pointed out that the IWWC authority for site visits is based on soil type; a soil scientist would inform the IWWC; observation is not legally enough. V. Garfein commented that the soil science and wetlands delineation is important; S. Spillane would do a site walk after seeing the wetlands delineation. M. Todaro will consult with Attorney Brooks, regarding a site visit with the present Order; V. Garfein would like to go forward with the Order and amend it later, if needed. S. Spillane commented that the stated date of October 14, 2026 needs to be changed; V. Garfein suggested that the date could be changed to "on or before October 26, 2026. Mr. Churchill has options for hiring professionals to do a report. M. Todaro pointed out that this is asking for any immediate action on the property; it is asking Mr. Churchill to hire experts to help determine what they think should happen to resolve the violation on the property. If the experts are retained by October 26, he can let the IWWC know that; the wetlands survey would be next. When the survey is approved by the IWWC, the environmental report would come next and the IWC has 65 days to decide. M. Todaro will check with Attorney Brooks about the possibility of a site visit. For the record, M. Todaro stated that Item #2 will be changed to "On or before October 26, 2026"; the remainder of the Order stays as written. A **Motion to Uphold the Cease and Correct Order (#CODE-26-2), With the Stated Revisions**, was made by S. Spillane and seconded by L. Burcroff. There were 4 votes in Favor and 1 Opposed. **The Motion carried**.

Other Business

11. #CODE-26-1 / 11 Route 7 / Map 04, Lot 31-1 / Owner: Delbert L Auray Jr Trustee / Agent: Patrick Mulberry / Discussion of consent order to remedy unpermitted regulated clearing activities

    Patrick Mulberry asked that Greg Murphy describe the planting plan he developed. S. Spillane commented that there should be more of a variety of shrubs; Mr. Murphy agreed to add more in. S. Spillane wants to know more about the invasive species remediation plan and a plan, going forward, for restoration of the cleared site area; Mr. Murphy responded that it would be easy to add in to this plan. L. Burcroff wants to see a narrative on how they plan to prepare to put the native mix in. R. Conklin would like to know more about how this plan will be closed out and referred to a list of bullet points including: stumps cut to grade; not re-grading; establishing the understory; and logs in the upland. R. Conklin suggested having them do a plan, such as establishing the first year, verifying the second year, and proposing how long the restoration will take; Mr. Murphy and Mr. Mulberry agreed that they need a plan to show all of the steps they are going to take for the restoration. Mr. Murphy will have the plan for the next meeting on October 26, 2026. V. Garfein and M. Todaro will check with Attorney Brooks to make sure all is in compliance.

12. Report of Agent Determinations:
    a. #IWWC-26-41 / 214 Sharon Road / Map 06, Lot 12 / Owner/Applicant: Laurel Miller / Generator and Propane Tanks in the Upland Review Area – M. Todaro reviewed and Approved this application.
    b. #IWWC-26-42 / 26 Ore Mine Road / Map 06, Lot 39 / Owner: Sarah Lambert and John Dolan Trustee / Applicant: Tim Sneller / Underground Utilities in the Upland Review Area – M. Todaro reviewed and Approved this application.
    c. #"IWWC-26-45 / 29 Morgan Lane / Map 64, Lot 07 / Owner: Anne Fredericks / Applicant: Jim Terrall / removal of existing buried tank and placement of new tank and generator in different location, associated with approved application IWWC-26-7 to demolish and rebuild a single family residence – M. Todaro described the new plan, which he had reviewed and Approved.

Adjournment. So Moved by S. Spillane, seconded by L. Burcroff, **With All in Favor**.