



August 1, 2024

Michael R Carter
36 Newbury Street
Boston, MA 02116

Re: Cease and Correct Order – 433 Salmon Kill Road, Salisbury

It has come to the attention of the Land Use Office that an operation within a wetland or watercourse involving the removal of material, alteration of such wetland or watercourse, and earth moving/excavating within 75 feet of wetlands or watercourses have been conducted at 433 Salmon Kill Road without the benefit of a permit. Specifically, altering and excavating within a stream channel, constructing armored stream banks, and grading surrounding uplands along perennial and intermittent watercourses on the northwest side of Salmon Kill Road.

The Land Use Office observed changes to the streams and surrounding uplands and has enclosed herein photograph documenting the aforementioned regulated activities.

In accordance with Section 6 of the Conservation Commission's Inland Wetlands and Watercourses' Regulations*

- 6.1 No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Conservation 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") and the contractor have violated section 6.1 of the municipal wetlands regulations.

Therefore, the Town of Salisbury Inland Wetlands & Watercourses Commission (IWWC) 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 September 9, 2024
 - a. the orderee shall retain consultants, acceptable to the agency, needed to carry out the activities in this order and
 - b. shall so notify the agency in writing.

3. On or before October 14, 2024 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 work within watercourses.

Such report shall:

- a. provide a preliminary maintenance and/or vegetation restoration plan, with supporting justification for the maintenance and/or plan,
- b. state in detail the most expeditious schedule for performance 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.

4. 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.

Your anticipated cooperation in this matter is greatly appreciated.

Sincerely,

Abby Conroy
Inland Wetlands & Watercourses Agent



Figure 1: July 25, 2024



Figure 2: May 6, 2024

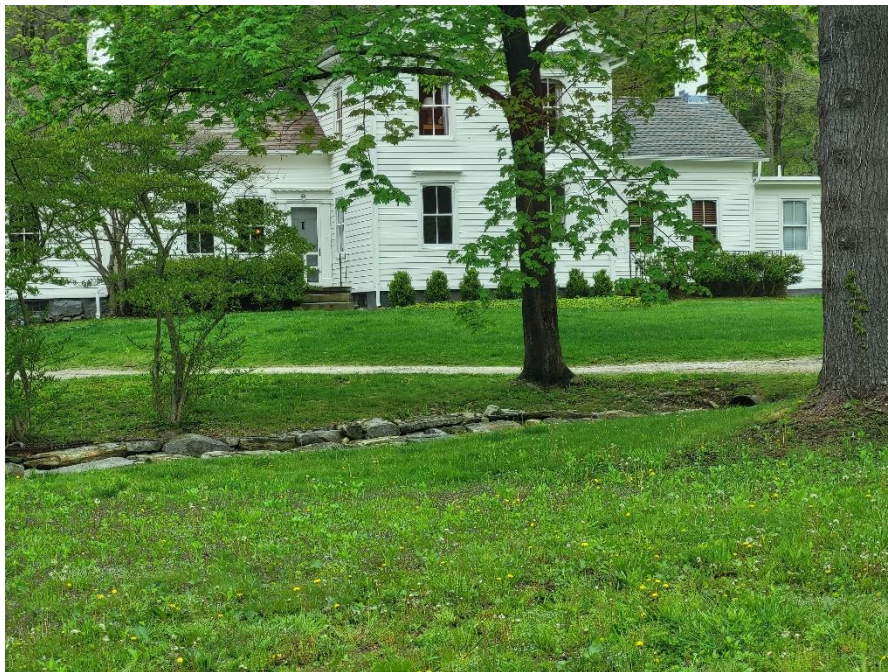


Figure 3: May 6, 2024