

TOWN OF SALISBURY

INLAND WETLANDS AND WATERCOURSES COMMISSION

SPECIAL MEETING

FEBRUARY 9, 2021 – 6:00PM (VIA ZOOM)

- 1) Call to Order. The meeting was called to order at 6:08pm.
Present: Larry Burcroff, Maria Grace, Peter Neely, Steve Belter, Sally Spillane and Abby Conroy, Land Use Administrator. (John Landon joined the meeting at 6:14pm.) Absent: Cary Ullman and Peter Oliver (Alternate).
Approval of Agenda. So Moved by S. Belter, seconded by S. Spillane and unanimously **Approved**.
- 2) Seating of Members & Alternates. All Regular Members attending were seated.
- 3) Minutes of January 21, 2021. Peter Neely indicated that Item #5. Show Cause Hearing – Cease and Correct / 145 Taconic Road / 145 TR LLC (Keenan) should be corrected to read as follows: “P. Neely made a Motion to Rescind this Order and we expect to see some sort of document in writing from Mr. Keenan about future work on the property.” A **Motion to Approve the Minutes of January 21, 2021, as amended**, was made by S. Belter, seconded by P. Neely and unanimously **Approved**.
- 4) Correspondence.
A. Conroy informed the Commission that the Pope Land Report had been sent to them for review. S. Belter pointed out that the report contains a lot of data and maps. S. Spillane suggested that there are many issues to look at, with regard to wetlands. Discussion about the report will be included on the March agenda. S. Spillane, who was member of the Pope Committee, asked the members to read the report, think about it, get to know the land and note any personal ideas they may have about it.
- 5) 268 Twin Lakes Road / Twin Lakes Beach Club, Inc. / Resurface existing tennis courts with the removal of the old surface and fencing in a wetland area.
Blake Morrison and Bob Rathbun described the improved planting plan, stormwater management and the construction sequence. The dimensions of the court will stay the same. A **Motion to Approve the Application for 268 Twin Lakes Road, Twin Lakes Beach Club, resurface existing tennis courts with the removal of the old surface and fencing in a wetland area** was made by S. Spillane, seconded by J. Landon and unanimously **Approved**.

- 6) 2021-IW-001 / Chapell / 44 Falls Mountain Road / New Single-Family Dwelling and Associated Site Improvements / Map 08 / Lot 69-1.
Mike Chapell described the narrative and site plans for the site. Following brief discussion, a **Motion to Accept the Application for 2021-IW-001** was made by S. Belter, seconded by J. Landon and unanimously **Approved**. Mr. Chapell asked if he would be able to take down some of the larger trees within the regulated area, but not in the wetlands. He was told yes, if they were just stumped or flush cut, not pulled out.
- 7) 2021-IW-002 / West Twin Hydro-Rake Group (Conklin) / 65 Washinee Heights Rd (Multiple Properties) / Restoration and Maintenance by Hydro-Raking.
Russ Conklin represented a group of 9 property owners, 8 of whom did hydro-raking last year. They would like the application to apply for more than a single year and they would like a fee reduction. The Commission had many questions about the details of the application, including the deposition of the spoils on each property and maps for each property to be submitted. The Commission wanted details about the individual maps, the silt fencing installations and observations. L. Burcroff, S. Belter and S. Spillane wanted more details about the possible benefits of the removal of the spoils, the process of the removal of the spoils and the length of the time this application is seeking. After discussion, a **Motion to Accept Application 2021-IW-002**, was made by S. Belter, seconded by J. Landon and unanimously **Approved**.
- 8) 2021-IW-003 / Indian Mountain School/IMS (Parsons – Lenard Engineering Inc.) / 211 Indian Mountain Road / Field House and Artificial Turf / Map 01 / Lot 20.
Todd Parsons, Engineer, Lenard Engineering; and Cheryl Sleboda, CFO and Business Manager, IMS; presented the details about the current application. They are looking to build a new larger field house and convert an existing natural grass field to synthetic turf, in an already disturbed area. The area they are proposing for the project is near 2 wetland areas and may include a bog turtle habitat. P. Neely asked about the water collection ponds and the discharge from them. Mr. Parsons answered that the controlled discharge ultimately ends up in the wetlands area, which is where the runoff goes now. L. Burcroff asked about the existing stockpile and if there will be others; Mr. Parsons answered that there will be temporary stockpiles. The materials brought in will be deposited at the building site. P. Neely asked what the infill is under the synthetic turf; Mr. Parsons answered that it would be crumb (recycled) rubber. P. Neely asked if there would be monitoring of the runoff for heavy metals; Mr. Parsons answered that the stormwater management system should handle it. P. Neely asked about the chemicals leaching out of the crumb rubber which would end up in the storage ponds; Mr. Parsons answered that he would look into it further. P. Neely suggested looking at alternative materials. A **Motion to Accept the Application 2021-IW-003** was made by J. Landon, seconded by S. Spillane and unanimously **Approved**.
- 9) Staff Updates – Public Workshop(s) for Regulations Rewrite, Agent Approvals, Landscaping

Abby Conroy, Staff, asked about the possibility of having a workshop before any public hearings on the regulations rewrite. J. Landon indicated that he would prefer not to lead the process, at this point; he suggested getting public input prior to a public hearing. He mentioned that the definition of the extension of the regulated area is the key and he wants to see a red-lined version of the regulations re-write. The Commission addressed having the next discussion of the regulations rewrite on the agenda at the next meeting in March. There was a lengthy discussion about area definitions and exempt activities that should be listed in the regulations. Questions about "Agent Approvals" were discussed. A. Conroy asked about a list of the definitions of declared agreed exemptions for Agent Determinations. The agenda for the February 17, 2021 meeting with Attorney Janet Brooks was discussed.

10) Public Comment

Russ Conklin asked about Agent Approvals on Declaratory Rulings; A. Conroy answered no, there are no Agent Approvals on those. A. Conroy noted that she will be updating the Declaratory Ruling Form and will list some of the exempt activities. J. Landon suggested that questions and ideas about 'as-of-right' activities be submitted in advance of the next meeting. A. Conroy pointed out that Agent Approvals can only be done in the Wetlands Review Area and that the applicant has the burden to provide the information about the wetlands delineation.

11) **Adjournment. So Moved** by S. Belter, seconded by P. Neely and unanimously **Approved**.