

INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

APRIL 26, 2021 6:30PM (ZOOM)

- 1) Call to Order. The meeting was called to order at 6:35pm. Present: Larry Burcroff, Peter Neely, Maria Grace, Sally Spillane, Vivian Garfein (Alternate) and Abby Conroy, Land Use Administrator.
Absent: Steve Belter, Cary Ullman and John Landon.
Approval of the Agenda. So Moved by S. Spillane, seconded by P. Neely and unanimously **Approved**.
- 2) Seating of Members & Alternates. All regular members present were seated. Larry Burcroff introduced Vivian Garfein, a new Alternate, who would be observing the meeting.
- 3) Approval of Minutes of April 12, 2021. So Moved by P. Neely, seconded by M. Grace and unanimously Approved.
- 4) Correspondence – A. Conroy explained the Notice of Pesticide Application on a private property that was a State notification; no action was required from the IWWC.
- 5) Informational Workshop on Inland Wetlands & Watercourses Regulation Rewrite.
Abby Conroy gave an update of all relevant documents that are available on the Town website/Inland Wetlands & Watercourses page: www.salisburyct.us. The documents include:
 - URA Regulation Info for Residents
 - 04082021 Version
 - URAs in CT Municipalities
 - 03012021 Presentation
 - 2006 CACIWC Position Statement
 - Town Consulting Engineer Review of Upland Review Area Regulations
 - Staff Response to SLH Position Statement

A. Conroy asked for Commission member comments. L. Burcroff pointed out that it had been 15 years since regulation updates were done and that all changes will help do the job. P. Neely expressed concern over changing the URA to 200', saying that permits can't be based on speculative risk. A. Conroy mentioned that Commission members John Landon and Cary Ullman, both absent this evening, were the ones on the sub-committee who proposed the change. S. Spillane agreed that she would like to hear their rationale for proposing the change. There was discussion about the burden to demonstrate significant impact, the possible differences between the lakes/lake associations and details of engineering concerns and comments. M. Grace had no opinion yet and wanted to hear from J. Landon and C. Ullman. She also wants more time for the IWWC to discuss the matters. The discussion continued with A. Conroy indicating that there are other regulation rewrite details and topics to discuss. She added that she wants the whole IWWC to be present before the rewrite goes on the agenda again. The Informational Workshop was concluded at 7:17pm.

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- 6) 2021-IW-012 / 145 TR LLC (Stair) / 145 Taconic Road / Renovate Existing Gazebo – Roof, Windows, Siding / Map 19 / Lot 19
L. Burcroff asked for a narrative of the project. Bob Stair, Contractor, described the proposed work to be done. S. Spillane asked about the design of the catwalk around the gazebo; Mr. Stair answered that it will be temporary while the work is being done. S. Spillane wants netting to be put around it, while in use. L. Burcroff asked how long the work would take; Mr. Stair answered about 3 weeks. S. Spillane also asked if there would be daily clean-up at the site; Mr. Stair answered yes. A **Motion to Approve Application 2021-IW-012, with the Standard Conditions**, was made by P. Neely, seconded by M. Grace and unanimously **Approved**.

- 7) 2021-IW-015 / Bordwin (Vail) / 75 Sharon Road / Soil Remediation due to UST / Map 47 / Lot 17
Emily Vail, Attorney), described the contamination in the footing drain system and the need to excavate the area. The area will then be restored with certified clean topsoil backfill. L. Burcroff asked why hay bales are proposed; he thinks Filtrexx would be a better choice. He also wants damage to the oak tree roots to be avoided. A. Conroy mentioned that there was not much evidence of discharge from the pipe when she and L. Burcroff visited the site. S. Spillane is concerned about the use of topsoil and the introduction of invasive plants. A **Motion to Accept Application 2021-IW-015** was made by S. Spillane, seconded by P. Neely and unanimously **Approved**. P. Neely asked about the purpose of the project. E. Vail indicated that it will disconnect the current footing drain system. She will have the Engineer provide a detailed report.

- 8) 2021-IW-016 / Faucher / 52 Preston Lane / New Single Family Dwelling / Map 66 / Lot 3
Jean Faucher, owner, described the proposed work as a new house on a new 4+acre lot. Mr. Faucher explained that this new lot is a proposed lot line revision (of an existing lot). There were several questions about the proposed activity, but the map was not clear enough. P. Neely would like to have a Town Engineer review the map. L. Burcroff indicated that he would like to see a cleaned up version of the map, prioritizing the site of proposed development and also have an Engineering review. A **Motion to Accept Application 2021-IW-016** was made by P. Neely, seconded by M. Grace and unanimously **Approved**.

- 9) 2021-IW-002 / West Twin Hydro-Rake Group (Conklin) / 65 Washinee Heights Rd (Multiple Properties) / Restoration and Maintenance by Hydro-Raking/ Modification
Russ Conklin explained that the modification is to add one property to the group at 38 Channel Road. The group has switched to this address for the demonstration of the dewatering process. Mr. Conklin described the proposed work. A **Motion to Approve Application 2021-IW-002, as modified**, was made by S. Spillane, seconded by M. Grace and unanimously **Approved**.

- 10) Staff Updates – Agent Approvals, Regulation Amendments, CT Bar Association discussion

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There were no new Agent Approvals, according to A. Conroy. She indicated that she has received several complaints about clearing activities within the Housatonic River Corridor. L. Burcroff described what he saw at the sites, which was mostly invasive species removal. A. Conroy asked if there should be an “after the fact” request; S. Spillane answered yes, the IWWC should set that precedent. L. Burcroff agreed and would like to have planting plans on the record. Regarding the CT Bar Association materials, L. Burcroff mentioned that he had read a lot of the materials. He pointed out that there is good information about how the laws apply and that they are in flux which can change the way the IWWC does its business. A. Conroy added that she will confirm that the entire Commission is available for the next discussion of the Regulation Rewrite.

11) Public Comment

Bruce Palmer asked if there would be a public hearing on the proposed regulation changes; A. Conroy indicated that there would be eventually for official adoption of new regulations. Grant Bogle had comments on the proposed regulations.

12) **Adjournment. So Moved** by P. Neely, seconded by M. Grace and unanimously **Approved.**