

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

JULY 12, 2021 – 6:30PM (VIA ZOOM)

1. Call to Order / Seating of Members & Alternates.

Present: Larry Burcroff, Chairman; John Landon; Peter Neely; Maria Grace; Steve Belter; Vivian Garfein (Alternate); Russ Conklin (Alternate); John Harney (Alternate) and Abby Conroy, Land Use Administrator.  
Absent: Sally Spillane and Cary Ullman. Vivian Garfein (Alternate) was seated for Sally Spillane. Russ Conklin (Alternate) was seated for Cary Ullman.

Attending: First Selectman, Curtis Rand, introduced the 2 new Alternates: John Harney and Russ Conklin.

2. **Approval of Agenda. So Moved** by S. Belter, seconded by P. Neely and unanimously **Approved**.

3. **Approval of Minutes of June 28, 2021. A Motion to Table the Approval of the Minutes of June 28, 2021** was made by P. Neely, seconded by J. Landon and unanimously **Approved**.

4. 2021-IW-016 / Faucher / 52 Preston Lane / Develop Single Family Residential Lot / Map 66 / Lot 3 / DOR: 04/26/2021.

A **Motion to Table this Application to the next meeting** was made by P. Neely, seconded by J. Landon and unanimously **Approved**.

5. 2021-IW-027D / Rutledge (Riga Construction and Berkshire Engineering) / 38 Channel Road / Drainage and Grading to Keep Water Out of Basement / Map 69 / Lot 02 / DOR: 06/28/2021 / Declaratory Ruling. Dennis McMorrow, Engineer, described the proposed work. He asked for a Declaratory Ruling, as he described the work as maintenance of the house. The Commission had questions including: the footing drains, the distance from the house to the channel, the sedimentation and erosion controls, excavation and materials removal, drainage and possible additional digging. The Commission deemed that a permit was required for this activity. (Not a Declaratory Ruling).

6. 2021-IW-027 / Rutledge (Riga Construction and Berkshire Engineering) / 38 Channel Road / Drainage and Grading to Keep Water out of Basement / Map 69 / Lot 02 / DOR: 06/28/2021.

There was brief discussion about the discharge and footing drains. S. Belter pointed out that additional digging may be necessary; Dennis McMorrow indicated that A. Conroy would need to be notified.

**Motion: To Accept and Approve Application 2021-IW-027, with the Condition that if it is learned that existing footing drains are not working properly, that the applicant must come back to re-apply for more work to be done on the drains, and all of the Standard Conditions apply.** The **Motion** was made by S. Belter, seconded by P. Neely and unanimously **Approved**.

7. 2021-IW-029 / Ramcharran (LRC Group – Wagenblatt) / 24 Cleaveland Street / Addition to Single Family Residence and Associated Site Improvements / Map 49 / Lot 116 / DOR: 07/12/2021.

John Wagenblatt, LRC Group, described the proposed work which includes a vertical expansion, covered porch, pavers, a paved parking area, AC units, a generator and a buried propane tank. He indicated that all of the activity is within the 75' regulated review area. The Commissioners had many questions

including: the inadequacy of the proposed rain garden, the collapse of the previous deck, alternatives to a paved parking area and the exposed sewage pipe. A. Conroy asked if the Commission would want a review by the Town Engineer; J. Landon, P. Neely and L. Burcroff all agreed, yes. A **Motion to Accept Application 2021-IW-029 and Have it Reviewed by the Town Engineer** was made by S. Belter, seconded by P. Neely and unanimously **Approved**.

#### 8. Staff Updates

- a. A. Conroy mentioned that Town Engineer Tom Grimaldi might be available for the IWWC meeting on July 26<sup>th</sup>, but questions should be sent in advance. She noted that Mr. Grimaldi suggested 300' for the Upland Review Area, to be the same as that for Planning & Zoning. She also explained Legislative changes which may affect permitting times for the IWWC; there may be some permit extensions. The Legislative changes also extend the ability to continue to have remote meetings or hybrid meetings through April, 2022. The Town is still exploring the technology to facilitate the hybrid meeting model, which they do not have right now. The remote meetings will continue, for now.
- b. Agent Approval / 2021-IW-028A / 145 TR LLC (Keenan) / 145 Taconic Road / Periodic Maintenance, including mowing and weed whacking in the upland review area / Map 19 / Lot 19. A. Conroy indicated that mowing and weed-whacking would normally be considered seasonal activity, which is what she authorized. Meetings are not necessary, she should just be notified; some of the Standard Conditions are not applicable.
- c. A. Conroy mentioned that the Regulation Rewrite Workshop will be held on July 20, 2021 at 6:00pm. Attorney Janet Brooks will attend and help with the questions. The IWWC will discuss the draft of the Regulations Rewrite. P. Neely asked if the issue of the Upland Review Area (URA) was discussed at the last meeting; the answer was no, it was not. The URA proposed is 200'. S. Belter asked if there was any closure on the issue of docks; the answer was that A. Conroy will continue to request both Declaratory Rulings and Applications.

#### 9. Public Comment

Grant Bogle asked if the IWWC was aware of the attorneys hired by 2 of the Lake Associations to discuss the on-going concerns of the parties involved. A. Conroy expressed that she was not aware of a letter or email on the subject. First Selectman C. Rand was recognized by the Chair and suggested that the permitting process must be resolved, a very tough job. He added that the 2 attorneys should get together with A. Conroy to discuss the matters. He expressed his support for a larger setback area. Mr. Bogle indicated that he will attend and participate in the Regulation Rewrite Workshop scheduled for July 20, 2021. A. Conroy wants the scheduled Workshop to go on. Regulations aren't just about the lakes; C. Rand suggested keeping the discussion going. There were a few more comments on this subject. Other comments were voiced by Bruce Palmer including: clarity, people who aren't tech savvy, information on docks, transparency and conflicts of interest. He asked that potential conflicts of interest be declared at the next meeting by the members of the IWWC.

#### 10. Adjournment. So Moved by J. Landon, seconded by V. Garfein and unanimously **Approved**.