

Salisbury Lakes Homeowners

SalisburyLakesHomeowners@gmail.com

<https://bit.ly/SalisburyLakesHomeowners>

Town of Salisbury

Salisbury Inland Wetlands & Watercourses Commission

July 9, 2021

Dear Larry, Curtis, and Abby:

I write to you on behalf of the Salisbury Lakes Homeowners (SLH) regarding the email Curtis sent to me and Bill Littauer with copies to Michael Zizka, Mark Capecelatro, and Abby Conroy on July 7, 2021 (a copy of which is attached).

As I have communicated previously, SLH is willing to underwrite Mark Capecelatro's fees in order to facilitate his participation in a working group with Attorney Zizka (and others as needed) to discuss the issues that the Town is attempting to manage and to evaluate how best to address them. SLH has raised what we believe are serious concerns: the proposed regulations, their intended and unintended impact, and the administrative burdens and costs on property owners and the Town. We are supportive of a collaborative effort to evaluate all options for protecting the health of our lake ecosystems; provided any new regulations, and the process for evaluating and adopting them, are fair and balanced against property owner rights and concerns.

We appreciate that the Town supports such a working group. To that end and consistent with our past communications, we think it makes sense to articulate our support of the following:

1. **Adoption by the IWWC of the mandatory regulations.** We understand there is pressure to align town ordinances with state law and we support bifurcating the mandatory changes from discretionary changes (elective and otherwise). We urge the IWWC to move forward now with the process of adopting the mandatory changes as outlined in the attached pdf.
2. **Formal IWWC endorsement of the working group.** We believe much more work is required before a useful discussion with the public is possible. The scientific and regulatory rationale for the proposed discretionary changes is far from clear. We need an analysis and clear delineation of the impact of the proposed changes as they relate to any new processes that the Town might feel compelled to put in place. The IWWC could help educate the public by

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setting forth concrete examples of the processes, timelines, and costs (both direct and indirect) that homeowners would likely encounter when engaging with the IWWC for specific regulated activities.

3. **Postponement of the July 20th informational meeting.** Given the formation of the attorney working group, the large number of unanswered questions from the public, and the fact that the IWWC has not fully discussed the proposed regulations nor fully considered their impact, we strongly support an IWWC decision to delay the July 20th meeting. It feels premature to hold an informational meeting for which the stated purpose is to both inform the public and answer questions raised by the public. We believe passage of the mandatory changes and formation of the attorney working group would allow time to clarify the issues that the IWWC is trying to solve. This would also provide breathing space to consider other approaches that might solve the issues most concerning the IWWC.
4. **SLH Support & Commitment.** Assuming the above course of action is agreed upon, SLH will communicate to its membership that we are in full support of the path that has been set forth by the IWWC.

With July 20th rapidly approaching, a quick decision regarding these points is important. We would appreciate it if you would communicate next steps and whether that meeting will occur. If you opt to proceed on July 20th, we will respect that decision but would like to understand how you intend to structure that meeting. Will members of the public be permitted to speak? How much time will each speaker have? Will commissioners be answering questions from the public? We value everyone's time and seek your guidance. We want to be efficient and optimize everyone's time so all interested parties can prepare if the meeting on July 20th will take place.

Sincerely,

Grant Bogle
Salisbury CT
On behalf of Salisbury Lakes Homeowners

Copy to: Bill Littauer, Lake Wononscopomuc Association
Michael Zizka, Attorney at Law
Mark Capecelatro, Attorney at Law

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From: Curtis Rand <crand@salisburyct.us>

Subject: Wetlands setbacks

Date: July 8, 2021 at 11:57:34 AM EDT

To: Littauer Bill <littauerw@gmail.com>, Mark Capecelatro <mark@capecelatro.com>, Grant Bogle <grantbogle80@gmail.com>

Cc: Abby Conroy <aconroy@salisburyct.us>, Larry Burcroff <larryburcroff@gmail.com>

Hi Bill and Mark and Grant, We have discussed perhaps having Mark Ziska and Mark Capecelatro work together in the near future to find ways alleviate some of the concerns about the wetlands setbacks around the lakes. The proposed regulations are intended to preserve water quality on Salisbury's wetlands and watercourses, including but not limited to our several lakes. I can't speak for the IWWC but I don't imagine that they intend to bog themselves down with endless minor maintenance issues around the lakes, but I also imagine that they want to ensure water quality in the lakes as people increasingly develop these shorefront lots.

If everyone agrees then perhaps Mark and Michael could meet to discuss this and then bring Abby into the discussion.

Thank you,

Curtis Rand