

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

AUGUST 23, 2021- 6:30PM (VIA ZOOM)

1. Call to Order. Present: Larry Burcroff, Peter Neely, John Landon, Sally Spillane, Maria Grace, Cary Ullman, Steve Belter, John Harney (Alternate), Russ Conklin (Alternate) and Abby Conroy, Land Use Administrator. Absent: Vivian Garfein (Alternate).  
Seating of Members & Alternates: All regular members were seated. No Alternates were seated.
2. Approval of Agenda. So Moved by S. Spillane, seconded by J. Landon and unanimously Approved.
3. Approval of Minutes of August 9, 2021. So Moved by P. Neely, seconded by S. Spillane and unanimously Approved.
4. Commission Discussion of Regulation Rewrite – Michael Klemens, Chairman of Salisbury Planning & Zoning Commission (PZC) – Lake Protection Overlay District, Joint Jurisdiction, the Plan of Conservation and Development.  
Mr. Klemens began with an overview of the 2012 Plan of Conservation and Development (POCD) which is being updated this year for publication in 2022. (The 2012 POCD is available on the Town website: [www.salisburyct.us/town-documents/](http://www.salisburyct.us/town-documents/)). There will be outreach to other agencies, ending up with a list of strategies and priorities; some priorities have changed. The current list of strategies and tasks to protect natural resources was reviewed, noting where the IWWC should continue to take the lead. (See pgs. 48-49 of POCD). Strategies A, B, D, G, H, I, M, P and Q were noted. Tasks 1, 2, 5, 7, 13 and 14 – specifically where there is overlapping jurisdiction on stormwater, setbacks from wetlands and lake protection overlays were noted. The subject of vernal pools was brought up; Mr. Klemens suggested that there are ways to assess vernal pools on a case-by-case basis, using judgement, without having them all mapped. A. Conroy indicated that wetlands delineation is already required on plans submitted; further critical definition of the type of wetland could also be required. S. Spillane asked who should provide the wording for the definitions and suggested Attorney Janet Brooks. A. Conroy pointed out that the State of CT does define vernal pools as wetlands; Mr. Klemens added that CT is a leader, in that regard, and that the IWWC may want to become more critical of the information presented to them. R. Conklin asked about scoring the quality of vernal pools to determine their importance; Mr. Klemens referred to the assessment of vernal pools, factors involved and a level of discernment based on science. S. Spillane asked about the role the Conservation Commission would play; Mr. Klemens replied that they could map the vernal pools. R. Conklin asked about a checklist for lengthy applications; Mr. Klemens replied that having a single land use administrator solves some problems. He pointed out that there are jurisdictional areas with different approaches that can be improved. He mentioned having an IWWC member attend PZC meetings and a PZC member attend IWWC meetings, as observers. Due to the time remaining, Mr. Klemens agreed to come back to the next meeting on September 13, 2021, to discuss the Lake

Protection Overlay District. S. Spillane asked about the appointment of the Conservation Commission; L. Burcroff suggested that the regulations rewrites need to get done first and then move on. A. Conroy mentioned perhaps waiting until the new POCD is adopted and tasks assigned to a Conservation Commission; Mr. Klemens agreed that IWWC input was desired for the POCD update.

5. 2021-IW-029 / Ramcharran (LRC Group – Wagenblatt) / 24 Cleaveland Street / Addition to Single Family Residence and Associate Site Improvements / Map 49 / Lot 116 / DOR: 07/12/2021.

John Wagenblatt, James Brucz and Richard Reynolds, Engineer, were representing the owners. John Wagenblatt gave a re-cap of the proposed activity which includes: vertical expansion, back deck, covered front porch, paved driveway, buried propane tank, bluestone walkway, rain garden installation, revamped retaining wall and improved steps. He offered that all comments and recommendations of the Consulting Engineer, Tom Grimaldi, had been addressed. S. Spillane asked to hear the original comments from Mr. Grimaldi; Mr. Wagenblatt read the letter and the responses. S. Spillane asked who would be responsible for the on-going maintenance of the proposed rain garden; Mr. Wagenblatt answered that during construction, it would be the consulting engineer or Town staff, then it would become the responsibility of the landowner, as a condition of approval. S. Spillane and L. Burcroff asked if there was an alternative to the large impervious surface driveway and if assurance that the rain garden would be maintained could be provided. P. Neely also asked about an alternative pervious surface for the driveway; Mr. Wagenblatt offered to discuss it with the property owners. Mr. Reynolds noted that rain gardens are designed to capture the first inch of runoff, not larger rain events. S. Belter asked if Engineer Grimaldi had addressed the rain garden issue; Mr. Wagenblatt answered yes, it was not a problem. S. Belter also asked about the silt fencing in the flood plain and the proposed erosion control blanket; Mr. Wagenblatt and Mr. Brucz answered that they are planning to waterproof the structure for the 100-year flood plain, as required and recommended by FEMA. P. Neely asked about the erosion control blankets; Mr. Wagenblatt indicated that they would remain until they eventually dissolve away, allowing vegetation to get established. S. Belter asked if Engineer Grimaldi had commented in the sewer line in the rear and the exposed pipe over the brook; Mr. Wagenblatt answered, no. A. Conroy offered to follow-up on it with Engineer Grimaldi. S. Belter and M. Grace would like the follow-up before the Commission approves. A. Conroy suggested that the questions about the sewer line should go to John Whalen, Superintendent, WPCA. S. Spillane noted the 2 issues of the driveway surface and the sewer pipes; she would prefer a pervious surface. Mr. Brucz suggested that the retaining wall at the end of the driveway could be removed, as an alternative to expensive pervious asphalt. He added that the rain garden is economical and will capture the first inch of runoff from the proposed driveway, which is environmentally better than having seepage through a pervious surface. L. Burcroff asked if a buffer area could be left unmowed; the answer was yes.

A Motion to Table this Application #2021-IW-029 until the next meeting in September was made by S. Belter, seconded by S. Spillane and unanimously Approved.

6. 2021-IW-032D / Conklin / 65 Washinee Heights Rd / Maintenance of Residential Property / Map 68 / Lot 13 / DOR: 08/09/2021 / Request for Declaratory Ruling (Non Sequitur – Item not addressed in the Order of the Agenda)\*\*

7. 2021-IW-033 / 145 TR LLC (Parsons/Stair) / 145 Taconic Road / Stormwater Management Improvements / Map 19 / Lot 19 / DOR: 08/09/2021.

Todd Parsons, Engineer, gave a re-cap of the proposed activity for drainage improvements to eliminate the current erosion problems. S. Belter asked for details of the soil and erosion control plans. A Motion to Approve Application 2021-IW-033, 145 TR LLC, 145 Taconic Road, for Stormwater Management Improvements, with the Addition of 20' of Silt Fence and the Standard Conditions, was made by S. Spillane, seconded by J. Landon and unanimously Approved.

- \*\*6. 2021-IW-032D / Conklin / 65 Washinee Heights Rd / Maintenance of Residential Property / Map 68 / Lot 13 / DOR: 08/09/2021 /Request for Declaratory Ruling.

R. Conklin recused himself from this discussion and vote. R. Conklin represented himself as the applicant, not as an alternate member of the Commission and described the proposed activity. After brief discussion, a Motion to Approve a Declaratory Ruling for Application #2021-IW-032D, as exempt activity, was made by J. Landon, seconded by S. Spillane and unanimously Approved.

(Note: At this time, C. Ullman left the meeting. L. Burcroff appointed J. Harney as the voting alternate.)

8. 2021-IW- 036 / O'Hara's (Haab, Hackett, Schmidt) / 254 Twin Lakes Road / Stormwater Management Improvements / Map 63 / Lot 1 / DOR: 08/23/2021.

Pat Hackett, Engineer, represented the applicant. A. Conroy reviewed the original plans submitted in 2019. She explained that the plans had gone to P&Z; P&Z had requested a formal stormwater treatment system which could not be installed because of proximity to the septic fields. Mr. Hackett described the details of a new proposed stormwater management system which would be created in the parking area. A Motion to Accept Application 2021-IW-036 was made by S. Belter, seconded by P. Neely and unanimously Approved.

9. 2021-IW-037D / Rich (Christian Allyn) / 202 Farnum Road / Invasive Species Management / Map 11 / Lot 05-1 / Request for Declaratory Ruling

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

10. 2021-IW-037 / Rich (Christian Allyn) / 202 Farnum Road / Invasive Species Management / Map 11 / Lot 05-1 / Reception

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

11. Public Comment – None

An email from Bruce Palmer will be put on the next agenda as correspondence.

12. Organizational Discussion – Seating Alternates

L. Burcroff discussed having a rotating system for Alternates. S. Spillane suggested that an Alternate with an Application on the Agenda should not be seated and then have to recuse them. P. Neely asked about having input on a future application; S. Belter and L. Burcroff agreed that voting on that application would not be appropriate.

13. Staff Updates

- a. Agent Approval / 2021-IW-034 / Ronchi/Ross (Parsons) / 75 Washinee Heights Road / Water Treatment Wastewater Disposal System / Map 58 / Lot 21 / Permit Issued by A. Conroy
- b. Agent Approval / 2021-IW-035 / Neugeboren / 199 Wells Hill Road / Septic System / Map 35 / Lot 4 / Permit issued by A. Conroy

14. Adjournment. So Moved by P. Neely, seconded by J. Landon and unanimously Approved.