

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

SEPTEMBER 27, 2021 – 6:30PM

1. Call to Order. Present: Larry Burcroff, Peter Neely, Sally Spillane, Russ Conklin (Alternate), John Harney (Alternate), Vivian Garfein (Alternate) and Abby Conroy, Land Use Administrator. Absent: Steve Belter, John Landon, Cary Ullman and Maria Grace.
2. Seating of Members & Alternates. R. Conklin was appointed voting alternate for S. Belter, V. Garfein was appointed voting alternate for J. Landon and J. Harney was appointed voting alternate for C. Ullman.
3. Approval of Agenda. **A Motion to Table Item #6 – Commission Discussion of Regulation Rewrite and #7—Application #2021-IW-029** was made by S. Spillane, seconded by V. Garfein and unanimously **Approved**. After brief discussion, **a Motion to Table Item #8 – Application #2021-IW-038** was made by S. Spillane, seconded by V. Garfein and unanimously **Approved**.
4. **Approval of Minutes of September 13, 2021 – Tabled**; quorum not present from that meeting.
5. Correspondence – Nothing new. P. Neely brought up the previous email comments that had been received from Bruce Palmer, regarding conflicts of interest. A. Conroy is providing language that was used by the Planning & Zoning Commission for discussion of conflicts of interest for this Commission to consider, as applications come in on an individual basis. There were comments from P. Neely and V. Garfein on the topic; there will be further discussion.
6. Commission Discussion of Regulation Rewrite – Tabled
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 -- Tabled.
8. 2021-IW-038 / Truax (Christian Allyn) / 417 Salmon Kill Road / Invasive Species Management / Map 8 / Lot 4-2 / DOR: 09/13/2021
The applicant, Christian Allyn, was able to join the meeting; the application was considered. L. Burcroff asked how large an area would be treated; Mr. Allyn answered about 2 acres and specified the locations on the property. Mr. Allyn indicated he would need 2 years on the permit, to treat this year and next. **A Motion to Approve Application #2021-IW-038 for a 2-Year Permit** was made by R. Conklin, seconded by P. Neely and unanimously **Approved**.
9. 2021-IW-039 / Red Mountain Properties, LLC (Higgins) / 14 Red Mountain Road / 4 Lot Subdivision / Map 3 / Lot 5-2

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Abby Conroy gave a brief review of information received from Attorney Janet Brooks clarifying whether a permit is needed from this Commission. V. Garfein expressed concern over the proposed improvements on one of the proposed lots, Lot #1; those should not be considered as approved by the IWWC. A. Conroy suggested that a memo identifying that there were no public improvements as required in the Inland Wetlands permitting, but each of the individual lots would require permitting, as they would come in for applications; she would write the memo to the Planning and Zoning Commission (PZC). The IWWC could also recommend to the PZC that a note/disclaimer be on the final plan submitted to the PZC that individual lots would require permitting from the IWWC. Adam Higgins, applicant, suggested that the existing septic system on Lot #1 could be repaired. It was pointed out by R. Conklin and V. Garfein that a letter from the TAHD noted that a new septic system and a new well would need to be installed, as part of the approval. A. Conroy will draft the memo for the IWWC to review at the October 12, 2021 meeting. The memo will clarify that the IWWC is only approving the subdivision of the land; Lots 1, 2 and 3 would require individual permitting in the future. **A Motion to Draft the Memo and Table the Vote to the October 12, 2021 meeting** was made by P. Neely, seconded by V. Garfein and unanimously **Approved**.

10. 2021-IW-041 / Cox (Zimmerman) / 50 Channel Road / Vertical Expansion of Existing Dwelling in the Upland Review Area / Map 68 / Lot 4

Abby Conroy indicated that the house is a non-conforming structure in terms of setbacks from the property line and setbacks from the watercourse. Adam Zimmerman, Architect, described the proposed work on the house. R. Conklin asked about the adequacy of the septic system; Mr. Zimmerman answered that it was reviewed by an engineering firm and that TAHD had approved the plans for 3 bedrooms only. Mr. Zimmerman noted that they are proposing to re-build the roof line, replacing the existing flat roof with a shed roof. R. Conklin pointed out that the staging information was not shown for the construction, erosion control, stormwater management or drainage control. S. Spillane agreed that the plans, as shown, don't answer the questions the IWWC need answered; they need more information before asking for an engineering review from Tom Grimaldi. L. Burcroff wants a narrative and a plan that shows the roof water being re-directed away from the channel. **A Motion to Request Further Information before this application is considered**, was made by S. Spillane, seconded by R. Conklin and unanimously **Approved**.

11. Public Comment (Occurred after the Staff Updates)

- Mary Silks commented on the upcoming Northwest Hills Council of Governments is having a 5th Thursday forum this Thursday, September 30th at 7:00pm. The topic is protecting lakes, rivers and water quality in Northwest CT.

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- Bruce Palmer directed a comment to P. Neely -- his intention was not to impugn anybody's character; he wants to think about perceived conflicts of interest versus actual ones. He asked how people get nominated to a Committee; L. Burcroff answered that they are appointed by the Board of Selectmen. P. Neely related how he became a member of the IWWC.

12. Staff Updates (Occurred before Public Comment)

- Conflict of Interest Statement – A. Conroy will send the PZC script for review by the IWWC. There can be further discussion, but it may continue on a case-by-case basis.
- A. Conroy spoke with Attorney Janet Brooks regarding joint jurisdiction and possibly forming a joint committee with PZC; Attorney Brooks suggested contacting PZC Attorney Chuck Andres regarding the potential for any possible conflicts on regulation amendments. Any conclusions formed by a joint committee would only be recommendations to the full Commissions, based on both perspectives. Attorney Brooks is working on a memo regarding applications, based on previous discussions.
- A. Conroy will be looking at development projects that are in progress, to make sure they are stabilized before winter.

13. **Adjournment. So Moved** by P. Neely, seconded by V. Garfein and unanimously **Approved.**