

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

OCTOBER 25, 2021 – 6:30PM (VIA ZOOM)

1. Call to Order. Present: Larry Burcroff, Peter Neely, Cary Ullman, John Landon, Sally Spillane, Maria Grace, Steve Belter, Vivian Garfein (Alternate), Russ Conklin (Alternate), John Harney (Alternate) and Abby Conroy, Land Use Administrator.
2. Seating of Members & Alternates. All Regular Members were present, no Alternates seated.
3. **Approval of Agenda. So Moved** by P. Neely, seconded by J. Landon and unanimously **Approved**.
4. **Approval of Minutes of October 12, 2021. So Moved** by P. Neely, seconded by S. Spillane and **Approved**. J. Landon abstained as he was not present at that meeting.
5. Correspondence – New correspondence just received will be on the next meeting agenda.
6. 2021-IW-041 / Cox (Zimmerman) / 50 Channel Road / Vertical Expansion of Existing Dwelling in the Upland Review Area / Map 68 / Lot 4 / DOR: 9/27/2021
Adam Zimmerman, Architect, described the proposed building plan and erosion and sediment control plan. They will add silt sock for erosion and sediment control; require safety and debris netting on the construction level; re-locate the splash pad and the roof run-off. L. Burcroff pointed out that the staging area would be on the gravel driveway; the Commission wants additional silt sock to extend beyond the existing stone walls along the driveway up to the shed. L. Burcroff asked if Engineer Tom Grimaldi was going to review the plans; A. Conroy answered, no, not yet. S. Belter pointed out that no earth was being moved, so there was no need for T. Grimaldi to review. J. Landon agreed that the sedimentation and erosion control plan should capture any disturbance in the staging area. S. Spillane and S. Belter asked about demolition materials disposal; S. Belter wants daily removal off the property. A. Conroy noted that there will be construction fencing and no storage allowed on the existing septic area. **A Motion to Approve Application 2021-IW-041, with the Conditions of Extended Silt Sock and Daily Debris Removal**, was made by P. Neely, seconded by J. Landon and unanimously **Approved**.
7. 2021-IW-043 / Matlock (Allyn) / 112 & 138 Housatonic River Road / Invasive Knotweed Management / Map 16 / Lot 13 / DOR: 9/27/2021
Christian Allyn described the knotweed areas where he is proposing treatment. There are 3 sites, a total of 4.2 acres, approximately. He described the process as a multi-year treatment.

After brief discussion, a **Motion to Approve Application 2021-IW-043**, was made by J. Landon, seconded by M. Grace and unanimously **Approved**.

(There was brief discussion afterwards, on matters unrelated to this application. S. Belter asked for an update on treatment at 3 Upland Meadow; C. Allyn noted that it had been treated. It is recommended that downstream property owners take pictures with phones and send to the Housatonic Valley Association for mapping.)

8. 2021-IW-042 / Madsen (Vail) / 10 North Beaver Dam Road / 2-Lot Residential Subdivision / Map 23 / Lot 17-1 / DOR: 10/23/2021

Emily Vail, Attorney for the Owners, explained that the family was separating the house from the farm and the farm is to stay within the family. While there are some wetland soils on the property, she indicated that they have not changed; there will be no construction. A. Conroy indicated that there is nothing to review; no regulated activities. She will write a report for the Planning & Zoning Commission (PZC); J. Landon and L. Burcroff agreed to this approach.

9. Public Comment

Mary Silks informed the Commission about the topics at upcoming WCSU symposiums on November 15 & December 13. IWWC members can register for those events.

10. Staff Updates – Complaints & Enforcement, Winter Stabilization on Open Projects, 38 Channel Road

- Complaints & Enforcement – A. Conroy reported following up on a previous complaint about a lakefront tree removal; she found the site to be satisfactory. She mentioned another complaint about lakefront vegetation removal; she was not able to re-visit that site.
- Winter Stabilization on Open Projects – All wide-open construction projects in the Upland Review Areas have been visited, concentrating on the lakes; engineers are providing winter stabilization approaches for those projects. A. Conroy asked for guidance from the Commission, regarding handling of complaints and enforcement when there are no open permits on the site, on how to proceed. S. Belter suggested that a form letter go out immediately about a complaint received & to schedule a meeting with the property owners; J. Landon agreed; A. Conroy will draft a letter for review. C. Ullman noted that a letter might be too slow, in some instances; A. Conroy might need to see the activity as soon as possible, at her discretion.
- 38 Channel Road – The original plan was to re-grade and replace a brick patio, but now the plan is to build a deck which would be less than 50' from the wetland. This would require a special permit from zoning; A. Conroy does not have all of the information yet. After discussion, the Commission determined that a modification to the original application plan should be requested.

11. Commission Discussion of Regulation Rewrite

(There was a short pause; the formation of a joint committee of 3 PZC & 3 IWWC members was mentioned. The proposed joint committee would look at recommendations on shared topics.)

The Commission decided on a page-by-page approach to the discussion. A. Conroy reviewed the document, with changes highlighted, for review, discussion and consideration. There was some discussion, at the beginning, about Appendix C. and Highly Erodible Soils.

- Section 1.1, Page 1, Title and Authority.
S. Spillane and A. Conroy read directly from this Section, noting the importance of the charge. The language was discussed; C. Ullman suggested staying with the language that has been upheld. A. Conroy pointed out that this language is in the CT Statutes; Darcy Winther will be consulted.
- Section 1.4 – Cites the Ordinance that gives this Commission the authority to handle Inland Wetlands and Watercourses.
- Section 2 – Definitions.
“Clearcutting” – This is model language that refers to harvest of timber and tree removal.
“Clearing” – There was a lengthy discussion on the language used in this definition, including: how the total area is calculated, what percentage of the total area removed should be stated and the definitions of vegetation and brush. The definition of “land disturbance” in the P&Z regulations was brought up by A. Conroy for consideration. P. Neely suggested using the acreage in the Upland Review Area on a property to figure out the total area to consider. C. Ullman offered that the definition of “clearcutting” and the reference to 2 inches in diameter came from some source document, when the original sub-committee was looking at the regulations. She indicated that the “removal of 50% or more” was a reasonable standard; it could be a different amount, but some measure is needed. M. Grace asked for examples of what other towns have done. S. Spillane offered that definitions are key and perhaps they should mesh with the P&Z definitions. V. Garfein suggested that the joint-subcommittee could discuss those definitions. A. Conroy can check in with Darcy Winther and Janet Brooks for some guidance on commonly used language in the definitions.

12. Adjournment. So Moved by S. Belter, seconded by S. Spillane and unanimously Approved.