

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

NOVEMBER 8, 2021 – 6:30PM (VIA ZOOM)

1. Call to Order. Present: Larry Burcroff, Peter Neely, John Landon, Sally Spillane, Maria Grace, Cary Ullman, Steve Belter, Russ Conklin (Alternate), Vivian Garfein (Alternate), John Harney (Alternate) and Abby Conroy, and Land Use Administrator.
2. Seating of Members & Alternates. All regular members were seated; no alternates.
3. **Approval of Agenda. So Moved** by S. Belter, seconded by J. Landon and unanimously **Approved**.
4. **Approval of Minutes of October 25, 2021. So Moved** by P. Neely, seconded by S. Spillane and unanimously **Approved**.
5. Correspondence – None
6. #2021-IW-044 / Lakeville 75 Sharon Road LLC (Capecelatro) / 75 Sharon Road / Stormwater Improvements, Stone revetment, and Plantings / Map 47 / Lot 17 / DOR: 11/8/2021.
Dennis McMorrow, Berkshire Engineering, described the proposed work to include a new house, driveway, pool, patio and lake sitting area. Existing walls and a sandy beach area at the lakefront would be eliminated. The house is connected to municipal water and sewer. He described multiple water quality measures including a basin to collect roof water runoff, permeable pavers, catch basins and a plunge pool to filter water through stone. R. Conklin had questions about the amount of runoff from the proposed driveway, stormwater drains and roof areas. S. Spillane asked about the use of the plunge pool; Mr. McMorrow answered that it would be filled with river stone, not planted. V. Garfein asked about what type and how much vegetation would be used at the shoreline to protect the water quality. Attorney Mark Capecelatro offered that the details are in the landscape plan submitted. S. Spillane asked about the size of the proposed stone seating area; the answer was 700' feet. She would like to know how much larger that is than the existing seating area. C. Ullman asked why the basin, plunge pool and seating area can't be moved outside of the 75' regulated area and still have effectiveness; Mr. McMorrow answered that it would not be as desirable for the owners. She asked about the proposed major disturbance and what erosion control measures would be put in place; Mr. McMorrow gave an explanation. C. Ullman indicated that she would not be supportive of increasing the proposed seating area in the regulated area by any larger size than what is there now. L. Burcroff asked why the proposed features have to be in the regulated area; Mr. McMorrow offered that it would create an area to use and enjoy, while making it a water quality feature. S. Belter suggested that this application should be reviewed by the IWWC Engineer. R. Conklin asked about how much area will be disturbed and how the erosion control would be phased in; he mentioned the tree removal and new house construction. He suggested that erosion control measures would have to change over time. Attorney Capecelatro offered that only 3 trees would be removed within the 75' regulated area. He added that a total of 30 trees would be removed from the entire property, but 57 new trees would be planted. C. Ullman pointed out that quite a lot of additions are proposed to the area where there is very little now. L. Burcroff asked about the removal of the sand; Mr. McMorrow answered that there would be no digging, they would work up from the edge of the wetlands. J. Landon agreed that this application should be reviewed by

the Town Engineer, as there is a lot of activity proposed. There were more questions about the stone areas. S. Belter wanted to know if any buffer area would be created between the stone areas and the lake. S. Spillane asked about the planting plan and list of plants. A **Motion to Accept this Application** was made by S. Belter, seconded by S. Spillane and unanimously **Approved**. A **Motion to Have the Application Reviewed by the Town Engineer** was made by S. Belter, seconded by J. Landon and unanimously **Approved**. A. Conroy will talk to Engineer Tom Grimaldi about the escrow required and possible timeframe for review. The next meeting is Monday, December 6, 2021, if the review can be done by then.

7. Public Comment

- Anita Jorgensen asked about tree removal; the Commission suggested contacting the Selectmen about a possible ordinance.
- Bruce Palmer agreed with Anita Jorgensen's comments.

8. Staff Updates

- 2022 Meeting Schedule – A. Conroy proposed keeping 2 regular meetings per month on the schedule; a second meeting can be canceled, if not needed. A **Motion to Remove November 28, 2022 from the schedule** was made by S. Spillane, seconded by S. Belter and unanimously **Approved**. A **Motion to Approve the 2022 Meeting Schedule, as amended**, was made by S. Belter, seconded by S. Spillane and unanimously **Approved**.
- Complaints & Enforcement – A. Conroy suggested having one Land Use Complaint of Violation Form which could be used by the IWWC and PZC. There was discussion about anonymous complaints & how to handle them. A. Conroy suggested that the new joint commission sub-committee can discuss the particulars. Also, the use of aerial drone footage was discussed, further research is required. There was a lengthy discussion of the draft form details with comments by the Commission. Another draft letter was discussed, Notice of Complaint and Potential Violation, which goes to property owners. The letter has to be sent out by certified mail, and then there would be a Show Cause Hearing within 10 days. A. Conroy pointed out that an immediate Cease & Desist is not allowed under Statute, only the Building Inspector can do that.
- Bylaws and Rules for Transaction of Business – A. Conroy will draft Bylaws for this Commission for review by legal counsel. Some legislative changes may affect the language. The new ordinance regarding the election of officers needs to be addressed, also; A. Conroy will speak with the Town Clerk about specifics. A. Conroy will make recommendations for this Commission to review.

9. Commission Discussion of Regulation Rewrite – Not Addressed.

10. **Adjournment. So Moved** by J. Landon, seconded by S. Spillane and unanimously **Approved**.