

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

DECEMBER 6, 2021 – 6:30PM (VIA ZOOM)

1. Call to Order. Present: Larry Burcroff, Peter Neely, John Landon, Steve Belter, Sally Spillane, Cary Ullman, Russ Conklin (Alternate), John Harney (Alternate), Vivian Garfein (Alternate) and Abby Conroy, Land Use Administrator. Absent: Maria Grace.
2. Seating of Members & Alternates. V. Garfein was seated for M. Grace.
3. **Approval of Agenda. So Moved** by J. Landon, seconded by P. Neely and unanimously **Approved**.
4. **Approval of Minutes of November 8, 2021. So Moved** by C. Ullman, seconded by P. Neely and unanimously **Approved**.

5. #2021-IW-045 / Suratt (Parsons) / 105 Belgo Road / Tennis Court / Map 10 / Lot 05-1 / DOR: 12/06/2021.

The owners, Cameron and Daniel Suratt, introduced themselves. Todd Parsons, Lenard Engineering, described the proposed activity on the property as a new tennis court which would be built over the existing septic system. There would need to be fill added on about half of the tennis court, on the south side; 2 retaining walls would also be needed there. He described soil and erosion control measures that would be used, stormwater management measures that are designed to hold 1" of runoff from the tennis court, and planting areas. He mentioned alternatives that had been considered. He noted that there will be a property line adjustment to accommodate the proposed location of the tennis court, which would be slightly less than standard size. He described the areas of disturbance that are within the Upland Review Area (URA), in total about a half an acre, not including the invasive species removal area. There are some impacts within proximity of the wetlands; they are proposing some mitigation measures such as a new septic system totally outside of the URA. There was a lengthy discussion with many questions from the IWWC, including: the function of the trenches below the tennis court; the surface of the court; the clearing areas, trees to be cut down and stumping. S. Spillane asked if there is a plan showing the trees to be cut down and stumped; Mr. Parsons answered no, not yet. A. Conroy commented on some specific details about the tree removal area. P. Neely asked about trees that would have to be pulled out in the new septic area; Mr. Parsons answered yes, not that many. Garret Scavotto, Landscaper, described the plans to remove invasive species with a small excavator and by hand, using no chemicals. L. Burcroff indicated that he would prefer removal by hand, as it does less harm. There were many more comments and concerns from the IWWC including: increased flow down the slope below the court; the

amount of runoff that could be contained; cleanout of the spreaders; erosion control blankets; the volume of the fill to be brought in; construction phasing; soil stockpiles including stripped topsoil. S. Spillane asked for specifics about a proposed planting plan including: all plants going in and all plants/trees coming out. She added that a 7' drop to the retaining wall was a lot and asked if there should be a reviewed by the Commission's Engineer; she is worried about the impact of the drainage on the wetlands. L. Burcroff asked if the Commission wanted the Engineer to review: S. Belter, V. Garfein and P. Neely did not feel it was necessary. J. Landon and C. Ullman could go either way with the review; C. Ullman added that machines should be kept out of the wetlands area. L. Burcroff indicated that he was OK with the plan, as submitted, as long as all invasive removal activities in the wetland area would be done by hand; Mr. Scavotto agreed to that. A **Motion to Accept Application #2021-IW-045** was made by S. Belter, seconded by P. Neely and unanimously **Approved**. Mr. Parsons agreed to provide additional details to show the trees that would be removed, amend the plan to indicate that all invasives would be removed by hand and provide a more accurate count on the amount of fill to be used.

6. #20211-IW-046 / Belter (Citrin) / 220, 226, & 228 Salmon Kill Road / 3-Lot Family Subdivision / Map 07 / Lot 08-1 / DOR: 12/06/2021

Note: S. Belter recused himself from discussion and vote on this Application because of the family connection; R. Conklin was appointed the Voting Alternate for S. Belter. Attorney Michael Citrin, representing Andy Belter, described a plan proposing to re-subdivide the lot; there would be no new construction or improvements. Attorney Citrin explained that his client is looking to make the lot sizes more equal by moving the property boundary lines; there are existing structures on each proposed lot. The Commission had a few brief questions. A. Conroy pointed out that there were no activities that require a permit; the IWWC could find that there are no activities requiring a permit and have her write a letter to the PZC. A **Motion to Have Abby Conroy Write a Memo to the PZC, Finding No Activities That Require a Permit**, was made by V. Garfein, seconded by S. Spillane and unanimously **Approved**.

7. #2021-IW-047 / Koehler (McMorrow) / 80 Rocky Lane / Construct New Septic System / Map 66 / Lot 28 / DOR: 12/06/2021

Dennis McMorrow, Berkshire Engineering, described the proposed new septic system plan. He noted that the entire existing system is in the Upland Review Area (URA); only the new tank and pump chamber would be in the URA and there would be no cutting within the URA. R. Conklin asked about the phasing of the construction; Mr. McMorrow offered that he could add more details on sequencing and erosion control measures. Mr. McMorrow noted that he would add silt fence with hay bales below the pump chamber and septic tank. There was further brief discussion. A **Motion to Accept Application #2021-IW-047, Construct New Septic System**, was made by J. Landon, seconded by S. Belter and unanimously **Approved**.

8. #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
Abby Conroy informed the Commission that a requested review from Engineer Tom Grimaldi had just arrived late in the afternoon. Dennis McMorrow, Berkshire Engineering, indicated that he would like to work with the clients and Attorney Capecelatro on revisions to the plans. He also wants to speak with Tom Grimaldi and discuss revisions. Attorney Capecelatro asked the IWWC to have a Special Meeting the next week; C. Ullman expressed that there was no rush, no need for a Special Meeting. S. Belter, S. Spillane and P. Neely were not opposed to a Special Meeting. Other Commissioners had questions and comments regarding the URA, the planting list and piping into the proposed rain garden. Mr. McMorrow commented that he needs time to review and respond to all. J. Landon agreed with C. Ullman that there is no need for a Special Meeting. After further discussion, the Commission determined that not enough members would be available for a Special Meeting during the time requested. **A Motion to Table a Decision on Application #2021-IW-044 Until January 10, 2022**, was made by S. Belter, seconded by S. Spillane and unanimously **Approved**.
9. Public Comment – None
10. IWWC/PZC Subcommittee Update.
V. Garfein gave an update on the 2 meetings held so far. The work is focused on areas of overlapping jurisdictions or definitions including: Jurisdiction; As-of-Right issues; Agent Determinations; Ordinary High Water Mark; Resources; Clearing; Docks. P. Neely asked about the URA discussion; A. Conroy commented that several different terms are being discussed, with no recommendations yet. S. Spillane commented that the definitions will help with the Regulation Rewrite.
11. Staff Updates – A. Conroy noted that she had incorporated the Commission’s comments into the Land Use Complaint Form; she suggested having the Subcommittee look at the form, since both Commissions will use it. Regarding the Enforcement Form, the suggested changes were made. The draft of the By-Laws was sent to Attorney Janet Brooks for review; hopefully that will be ready for January.
12. Commission Discussion of the Regulation Rewrite – Tabled to January 10, 2022 meeting.
R. Conklin brought up the definition of structures for brief discussion. A. Conroy mentioned that the IWWC can review differently than the PZC, as long as the site plan mechanism is used. She added that the Special Permit use in Zoning can be more critical than using the site plan.
13. **Adjournment. So Moved** by C. Ullman, seconded by J. Landon and unanimously **Approved**.