

SPECIAL JOINT MEETING OF THE  
SALISBURY INLAND WETLANDS & WATERCOURSES COMMISSION  
AND  
PLANNING & ZONING COMMISSION SPECIAL MEETING  
FRIDAY, FEBRUARY 25, 2022 – 8:30AM

**Members Present:**

Vivian Garfein (Chair)  
Peter Neely (Vice-Chair)  
Michael Klemens  
Maria Grace

**Staff Present:**

Abby Conroy, Land Use Administrator

**Brief Items and Announcements**

1. Call to Order. The meeting was called to order at 8:31am.
2. Attendance. Absent: Cathy Shyer. Debra Allee arrived after the meeting was called to order.
3. Minutes from 01/14/2022 –pending
4. Minutes from 01/21/2022 – pending
5. Minutes from 02/04/2022 – pending
6. Minutes from 02/10/2022 – pending
7. Minutes from 02/17/2022 - pending
8. Scheduling: Friday, 3/11 , Friday 3/25

**Pending Items**

9. Update on Draft Land Use Report of Violation Form – Town Counsel Comments  
Discussion of this Item was put on hold until later in the meeting. \*\*
10. Definitions – “Calcareous Fen”, “Cumulative Impacts”, “Headwaters”, “High Gradient Cold Water Streams”, “Intermittent Watercourses”, “Regulated Activity”, “Upland Review Area”, “Vernal Pools”, “Watercourses”, “Wetlands and Watercourses Buffer Area”, “Wetlands”  
V. Garfein and A. Conroy had reviewed the definitions with Attorney Janet Brooks. Attorney Brooks’ overall comments included making it clear where the definition ended and the commentary began; she recommended identifying the commentary. M. Klemens and A. Conroy suggested that the commentary can stay in the definitions section. There was a lengthy and detailed discussion of each of the specific definitions. Based on this discussion, final comments may come back from Atty. Brooks for the next meeting, which A. Conroy will incorporate into the draft of the definitions. Under “Regulated Activity”, the concept and definitions of routine activities was considered, in detail; comments will also come back from Atty. Brooks.

\*\*Update on Draft Land Use Report of Violation Form – A. Conroy referred to comments received from Attorney Chuck Andres, with regard to the procedures for providing zoning and wetlands enforcement, as used in the Town of Canton, CT. He provided additional comments, with regard to specific language used in the draft form, including

41 “anonymous complaints”. After review, the Members decided to eliminate some specific  
42 language; A. Conroy will make adjustments to the final draft of the form.

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44 11. Discussion of “Agent Determinations”.

45 The specific language to be used was discussed in detail; a colored “flow chart” was  
46 presented and reviewed, including a reference to “hierarchy”, as suggested by M.

47 Klemens, P. Neely and V. Garfein, along with other suggested language to be used. M.

48 Klemens explained his rationale for the language he suggested; more consideration was  
49 given to possible additional language.

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51 12. Draft Application Forms – Not discussed.

52 13. Discussion of “Declaratory Ruling”/ “As-of-Right Activities” – Not discussed.

53 14. Sections 11.1, 12.1, 12.2, 13.1, & 13.2 of the Conservation/Inland Wetland Regulations  
54 Not considered at this meeting.

55 15. Organization of Tasks & Topics

56 A. Conroy will update documents and review with V. Garfein.

57 V. Garfein and A. Conroy will have another meeting with Attorney J. Brooks next week

58 A. Conroy will refer the Violation Form to the IWWC; V. Garfein will discuss with them at  
59 their next meeting.

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61 **Adjournment. So Moved** by P. Neely, seconded by M. Klemens and unanimously

62 **Approved.** The meeting was adjourned at 10:32am.

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66 (Minutes drafted by Georgia Petry from the Zoom recording of the meeting)

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