

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

JULY 25, 2022 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. The meeting was called to order at 6:32pm.
- 2
- 3 2. Roll Call & Seating of Alternates. Present: Larry Burcroff, John Landon, Peter Neely, Steve
- 4 Belter, Maria Grace, Sally Spillane, Cary Ullman, Russ Conklin (Alternate), Vivian Garfein
- 5 (Alternate), John Harney (Alternate), Abby Conroy (Land Use Administrator) and Georgia Petry
- 6 (Recording Secretary). No Alternates were seated.
- 7
- 8 3. **Approval of Agenda. So Moved** by P. Neely, seconded by J. Landon and unanimously **Approved.**
- 9
- 10 4. **Approval of Minutes of July 11, 2022. So Moved** by S. Belter, seconded by J. Harney and
- 11 unanimously **Approved.**
- 12
- 13 5. Public Comment – None
- 14
- 15 6. 2022-IW-073D / 145 TR LLC (Keenan) / 145 Taconic Road / Removal of Dead Trees / Map 19 / Lot
- 16 19 / DOR: 07/25/2022
- 17 The Applicant was not available and had asked for this Application to be Tabled. A. Conroy
- 18 indicated that the Applicant had agreed to the IWWC having a preliminary discussion, so that he
- 19 could be prepared for the next meeting. S. Spillane and L. Burcroff want the Applicant to
- 20 provide a map, when he comes to the next meeting. Both L. Burcroff and J. Landon want more
- 21 information to be provided at the next meeting, such as the distance from the wetlands. R.
- 22 Conklin asked that a citation of the numbered provision be provided on the application. M.
- 23 Grace wants to know the number of trees and the acreage involved. J. Harney asked about
- 24 what is involved in the designation of maintenance of residential property, if it needs a house or
- 25 some structure; A. Conroy answered yes, there is the gazebo and existing landscaping. L.
- 26 Burcroff and V. Garfein asked about the Nature Conservancy and how the land is held. A
- 27 **Motion to Table Application 2022-IW-073D to the Next Meeting** was made by P. Neely,
- 28 seconded by J. Landon and unanimously **Approved.**
- 29
- 30 7. 2022-IW-074D / 145 TR LLC (Keenan/Stair) / 145 Taconic Road / New 6’x24’ Dock / Map 19 / Lot
- 31 19 / DOR: 07/25/2022
- 32 (The Application was paused until later in the meeting and continued after Item #9 concluded.)
- 33 Bob Stair, representing the applicant, described the proposed dock as removable; it would not
- 34 be in the water. L. Burcroff asked how high above the water the dock would be; Mr. Stair

35 answered about 6" or more. C. Ullman asked what the definition of a dock is; she expressed
36 that this looks like an expansion of the gazebo. A. Conroy pointed out that this Commission
37 does not have a definition of a dock yet. P. Neely and J. Landon suggested this would qualify as
38 a mooring. J. Landon asked if the Nature Conservancy easement allows for this; Mr. Stair
39 answered yes. **A Motion to Approve the Request for a Declaratory Ruling for Application**
40 **#2022-IW-074D** was made by P. Neely, seconded by J. Landon and unanimously **Approved**.
41

- 42 8. 2022-IW-064D / Taylor Farm Bolton LLC (Zeiner) / 47 Dimond Road and Millerton Road / Long
43 Term Timber Management – Commercial Selective Timber Harvest / Map 05 / Lots 01 & 38 /
44 DOR: 05/23/2022

45 A memo from Attorney Janet Brooks, which had been requested, regarding legal questions
46 arising from the submission of an intervention petition pertaining to this application, was
47 reviewed. The Commission members had many comments and questions; A. Conroy offered
48 some explanation of Attorney Brooks' opinions expressed in the memo. In the memo, Attorney
49 Brooks also offered some guidance on exemptions/requests for declaratory rulings. The memo
50 can be found at: [https://www.salisburyct.us/inland-wetland-watercourses-commission-](https://www.salisburyct.us/inland-wetland-watercourses-commission-meeting-documents/)
51 [meeting-documents/](https://www.salisburyct.us/inland-wetland-watercourses-commission-meeting-documents/). Mr. Robert Taylor asked which access roads were being identified; A.
52 Conroy displayed the map provided in the application. S. Belter was favorable toward the
53 application. J. Landon would have preferred to allow different protections, but indicated that
54 the Statutes and Attorney Brooks' memo were clear. Mr. Jonathan Zeiner referred to additional
55 information he had submitted, regarding the vernal pools, including detailed maps and
56 explanations of the buffer areas. L. Burcroff pointed out that different creatures use different
57 vernal pools, affecting the timing of the proposed work to be done. After further brief
58 discussion, a **Motion to Approve the Request for Declaratory Ruling for Application 2022-IW-**
59 **064D** was made by S. Belter, seconded by S. Spillane and unanimously **Approved**.
60

- 61 9. 2022-IW-070D / Smith / 121 Long Pond Road / Construct .57-acre Farm Pond / Map 02 / Lot 16/
62 DOR: 07/11/2022.

63 Ralph Stanton, Engineer, described the proposed pond layout and the revised site plan. L.
64 Burcroff asked about the distance of the pond from the wetlands; Mr. Stanton answered greater
65 than 25' to mostly over 50' or more because he had moved the pond further away. A. Conroy
66 indicated that this was the same type of agricultural exemption that had been requested under
67 the timber harvest; this one under farming (Section 4.1.a.) for a farm pond of 3 acres or less. S.
68 Spillane asked how the pond was directly related to agriculture; James White answered that it is
69 for the provision of water to the farm animals and watering the crops in that area. L. Burcroff
70 asked how much material would be removed; Mr. Stanton figured out about 6,000 yards and
71 that silt fencing would be used. S. Belter asked how the water would be would be maintained;
72 the answer was that the springs are adequate. **A Motion to Approve this Request for**
73 **Declaratory Ruling, Application #2022-IW-070D**, was made by J. Landon, seconded by P. Neely
74 and unanimously **Approved**.
75

76 10. 2022-IW-071 / 31 Robin Hill LN LLC (Leven) / 31 Robin Hill Lane / Construct New 16'x30' Garage
77 in the Upland Review Area / Map 34 / Lot 1 / DOR: 07/11/2022
78 J. Landon did visit the site and reported that the area for the proposed car port is extremely flat,
79 not sloping towards the wetlands; there would be no real impact to the wetlands. Stephen
80 Leven, Applicant, indicated that the proposed car port would be gravel and that they would
81 extend the silt fence to the driveway. A **Motion to Approve Application #2022-IW-071, with**
82 **the Condition of Extending the Silt Fence to the Driveway and the Standard Conditions**, was
83 made by S. Belter, seconded by S. Spillane and unanimously **Approved**.
84

85 11. 2022-IW-072 / Weber / 177 Sharon Road / Repair Storm Damage to Boat House Including 5
86 Square Roof, Chimney and Railing / Map 37 / Lot 1 / DOR: 07/11/2022
87 S. Belter did visit the site and reported that changing the roof is not an issue, there is a deck,
88 there is no place for a silt fence; the tarps to collect debris will be adequate. The existing deck
89 railing needs repair, as does the chimney. A **Motion to Approve Application #2022-IW-072** was
90 made by P. Neely, seconded by J. Landon and unanimously **Approved**.
91

92 (S. Belter asked to discuss an unrelated matter that was brought to his attention while he was
93 on the site visit at 177 Sharon Road. He was alerted that an adjacent neighbor was using the
94 driveway, with the owner's permission, to remove a significant number of trees; it did not look
95 like they were within 75' of the lake. It was mentioned to him that the intent may be to cut all
96 of the trees down. He noticed that a silt fence had been put up. J. Landon suggested that it is
97 within reason to have A. Conroy send out a letter to the property owner to make them aware of
98 the Regulations. S. Belter agreed and suggested that the property owner should be directed to
99 the IWWC website for the Regulations.)
100

101 12. Regulation Rewrite Discussion

- 102 • Resource Definitions – R. Conklin gave a lengthy detailed explanation of his views on
103 the definitions of the different types of calcareous fens and how he had written them.
104 The IWWC discussed several specific locations of fens. R. Conklin also talked about his
105 version of the definition of vernal pools and the process of locating vernal pools. There
106 were brief Commission member comments.
- 107 • Commentary Suggestions – Not discussed.

108
109 13. **Adjournment. So Moved** by P. Neely, seconded by J. Landon and unanimously **Approved**. The
110 meeting adjourned at 8:20pm.